

**THE INSTITUTE OF
GOVERNMENTAL STUDIES
REPORT TO THE BIPARTISAN
COMMISSION**

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Introduction

In accordance with the wishes of the Bipartisan Commission, the Institute of Governmental Studies at the University of California at Berkeley undertook several research projects: an empirical investigation of FPPC enforcement practices with the goal of providing a better understanding of how the Political Reform Act is enforced; focus group studies and interviews with local treasurers, journalists, and political law attorneys with the goal of providing a better understanding of what these groups think about the present system and how the system might be improved; a campaign finance form experiment designed to evaluate how difficult these forms are to fill out for both the experienced consultant as well as the layperson; finally we aggregated and analyzed an external survey that the FPPC itself conducted. For the sake of clarity, each project is discussed separately with appendices immediately following.

We hope that our research assists the Commission in its task and will be happy to answer any further questions the Commission may have.

Part I—FPPC Enforcement Study

This section details our study and analysis of the FPPC's enforcement practices. It is divided into four sections: section one analyzes matters that were declined by the FPPC; section two analyzes matters that were pursued by the FPPC; section three discusses our analysis of media coverage of campaign finance violations; section four concludes with a summary of findings.

I. Matters Declined

For purposes of this study, declination may be defined as the decision not to initiate an administrative proceeding or civil suit against an alleged violator. As such, declination includes instances where the FPPC dismisses a complaint without investigation, where it dismisses a complaint following an investigation, and where it dismisses a complaint after having sent the alleged violator a formal warning letter. As is the case with all regulatory or prosecutorial agencies, the FPPC does not pursue every matter that it is offered. Although some observers (such as the California Auditor's report) have in the past questioned the FPPC's declination rate, a robust declination policy is necessary in any prosecutorial body—innocuous violations or good faith mistakes are not pursued so that resources can be concentrated on more serious violations, thereby enhancing future deterrence.

Working with the staff at the FPPC, we were able to examine redacted copies of letters sent in 154 matters that were declined between January 1998 and May 1999, coding them for respondent (the individual or group against whom the allegation was alleged), alleged violation, time to clearance (time between receipt of the complaint and the issuance of the declination letter) and reason for declination. We note at the outset that because not all information we sought was available in every letter, the universe of cases for this particular section will vary with each topic discussed. We also note that because we were able only to view the summary letters of each declined matter (due to

confidentiality concerns), we were not able to answer every question originally posed by the Commission.

We begin by examining who were the alleged violators in declined matters. One might be concerned if an administrative agency’s universe of declined respondents differed markedly from the universe of respondents who they pursued. If such were the case, it would be possible—but not necessarily true—that the regulators systematically favored or disfavored particular types of respondents. For example, if 50% of a regulator’s universe of declined cases were political action committees, but only 5% of the universe of pursued¹ respondents were political action committees, it is possible that the regulator systematically favored PACs by refusing to pursue allegations levied against them. Such did not appear to be the case with the FPPC, as Table One demonstrates.

Table One: Comparison of Respondents Declined and Respondents Pursued²

Respondents	% of All Declinations	% of All Pursued Matters
Candidate/Campaign—State Level Office ³	10%	19%
Candidate/Campaign--Local ⁴	62%	38%
Political Party	1%	2%
PAC	6%	7%
Corporation/Business/Labor Union	7%	15%
Initiative/Ballot Group	5%	6%
Private Individual	4%	12%
Other	5%	1%
TOTAL	100%	100%

¹ We admit that the term “pursued” is somewhat inelegant. We use the term simply to assist the reader in differentiating those data involving matters the FPPC declined as opposed to matters in which it ultimately levied some type of administrative or civil fine. We felt “pursued” to be an inappropriate term inasmuch as it implies a criminal suit.

² Numbers for all tables in the text of this memorandum have been rounded to the nearest percent; hence totals may not sum exactly to 100%.

³ This category includes candidates for the Assembly, the Board of Equalization, the Senate, and statewide office.

⁴ This category includes candidates for all other offices in California.

The only noticeable trend is that local candidates and campaigns were declined at a higher rate than one would expect, although this is possibly due to the fact that violations made by local candidates may be more likely to be good faith accidents than, for example, violations made by an incumbent Assembly member given that many local candidates are new to political campaigning and are less familiar with reporting requirements.

We next examined the types of alleged violations declined, the results of which are offered in Table Two. We do not compare violations declined to violations pursued, for many times an alleged violation was declined precisely because its facts were insufficient to prove the underlying violation. One must remember that these were merely the violations alleged—the FPPC found that many of these alleged violations did not in fact happen. Instead, we would draw the reader’s attention to the percentage of “nonjurisdictional violations” declined.

Table Two: Alleged Violations Declined

Alleged Violation	Total	Declinations
Reporting Violations	48	33%
--Late Reporting (1) (<1%)		
--Inaccurate Reporting (21) (15%)		
--Failure to Report (26) (18%)		
Nonjurisdictional Violations	30	21%
Conflict of Interest	20	14%
Campaign Use of Funds ⁵	16	11%
Statement of Economic Interest Violations	14	10%
Disclaimer Violations	4	3%
Proposition 208 Violations	4	3%
Illegal Reimbursement Violations	3	2%
Personal Use Violations	1	1%
Lobbying Violations	1	1%
Other	3	2%
TOTAL	144	100%

As is evident, the FPPC declined very few illegal reimbursement, personal use, or lobbying violations. But nonjurisdictional violations, those matters over which the FPPC does not have legal jurisdiction to investigate, accounted for 21% of all declinations (and alleged violations of Proposition 208 accounted for another 3%). Thus,

⁵ This category also includes allegations of improper use of funds by Ballot Measure and Initiative Committees.

many complainants have had their requests for FPPC action “turned down” simply because they mistook the scope of FPPC authority. Pursuant to Commission request, we analyzed those matters that were declined for lack of jurisdiction. The results are presented in Table Three.

Table Three: Breakdown of Nonjurisdictional Declinations

<u>Nature of Nonjurisdictional Violation</u>	<u>Number</u>
Brown Act Violation	6
Content Based Objection ⁶	5
Impropriety by Government Official ⁷	5
Improper Use of Government Funds ⁸	3
Election Code Violation	3
Local Ordinance Violation	2
Federal Campaign Finance Violation	1
Activities of Non-Elected Official (CALPers boardmember)	1
<u>Could Not Be Determined</u>	<u>4</u>
TOTAL	30

Next we analyzed the nature of the declinations. Of the 154 total cases, sixty-five (or 42%) were declined without investigation; sixty-three (or 41%) were declined after an investigation; and twenty-six (or 17%) were declined after the FPPC sent the respondent a formal warning letter. Inasmuch as all declinations involving formal warning letters necessarily included an initial investigation, a majority of declined matters—58% to be precise—involved some measure of investigation on the FPPC’s part. Unfortunately, we could not determine how much effort or resources went into the investigation of matters that ultimately were declined given that we did not have full access to the declined matters’ files (due to confidentiality reasons). We can state that the FPPC tended to refuse to investigate a matter when the complainant offered no evidence to support its allegation, even after the FPPC requested such evidence. We can also state that some

⁶ These were allegations made to the FPPC that the content of particular political mailers, newspapers adds, or ballot initiatives were “wrong” or somehow misrepresented the truth.

⁷ These were various allegations concerning such issues as extortion, the fact that an office holder was not a U.S. citizen, that a local government refused to provide a candidate with nomination papers for the office of Sheriff, etc.

⁸ These were allegations that a local government was spending public money in an improper way—i.e. wastefully, with political gain in mind, etc.

types of investigations seemed to be very quick—for example, when a complainant had sent in an allegation about a disclaimer on a political ad and the FPPC investigator could simply look at the ad and determine that no violation had taken place. Other investigations, such as those involving allegations of inaccurate reporting or illegal reimbursements, presumably took longer.

Perhaps the two most important factors in case declination are time to clearance and reason for declination. Time to clearance of declinations is analyzed in Table Four.

Table Four: Time to Clearance of Declinations

Time to Clearance	Total	% of All Declinations	Cumulative %
0-1 month	24	19%	19%
1-2 months	33	27%	46%
2-3 months	28	23%	69%
3-6 months	20	16%	85%
6-9 months	3	2%	87%
9-12 months	5	4%	91%
12-18 months	3	2%	93%
18-24 months	2	2%	95%
24 or more months	6	5%	100%
TOTAL	124	100%	100%

46% of declined matters are cleared within two months, almost 70% percent are cleared within three months, and 85% percent are cleared within six months. As a point of general comparison, previous research conducted by Lochner and Cain found that the Federal Election Commission takes appreciably longer to clear its declinations.⁹ Only 2% of FEC declinations are cleared within three months, only 5% are cleared within six months, only 20% are cleared within a year, 74% are cleared within two years, and 5% take three or more years to clear.¹⁰

Pursuant to Commission request, we analyzed all of those declination that took six months or more in order to get a sense of why they took a comparatively longer time.

⁹ Our FEC dataset does not categorize declinations per se; instead we can compare only the nearest proxy—those matters that the FEC concludes as having either “No Reason to Believe a Violation Occurred” or having a “Reason to Believe that a Violation Occurred but No Further Action Taken” (the latter being similar to a situation in which the FPPC simply sends a warning letter).

¹⁰ See Todd Lochner and Bruce E. Cain, “Equity and Efficacy in the Enforcement of Campaign Finance Laws,” 77 Texas Law Review 1891 (1999).

- Declinations taking more than two years

Of the six matters that took more than two years to decline, all involved situations where the FPPC launched an investigation into the underlying allegations. Three were declined due to the fact that the matter was being handled in another forum (i.e. criminal prosecution or private civil suit), two were declined due to lack of evidence, and one was declined due both to weak evidence and the de minimus nature of the violation. The nature of the declined violations varied widely: two failure to file matters, one illegal reimbursement matter, one conflict of interest matter, one personal use of campaign funds matter, and one whose subject matter could not be determined.

- Declinations taking one to two years

Of the five declinations taking between one and two years to decline, all involved situations where the FPPC launched an investigation into the underlying allegations. The reasons for declination varied widely (no violation committed, weak evidence, mitigation, and de minimus nature of the violation) as did the nature of the allegation (two failure to file matters, one conflict of interest matter, one personal use of public funds matter, and one whose subject matter could not be determined).

- Declinations taking six to twelve months

Of the eight declinations taking between six to twelve months, all were declined following investigation (two with warning letters sent). The reasons for the declination varied (three dismissed for lack of evidence, two due to mitigation, one due to the fact that no violation had been committed, one due to the fact that the respondent did not have a history of violations, and one due to both mitigation and lack of FPPC resources) as did the nature of the allegation (two reporting violations, two conflict of interest matters, two statement of economic interest matters, one lobbying violation, and one campaign use of public funds matter).

In short, matters that took six or more months to decline all involved instances where the FPPC conducted investigations into the matters. Many were ultimately declined due to weak evidence, and for the most extreme cases (declinations taking two years or more), half were declined in deference to criminal prosecution or private civil suits. There did not appear to be any significant trends as to the time to declination and the nature of the underlying allegation.

The FPPC's efficiency in clearing declinations (at least in comparison to the FEC) is likely due to two factors. First, unless a complaint is filed formally (i.e. sworn under penalty of perjury) FPPC staff have the ability to decline a case without the approval of the Commission; every matter before the FEC, however, must be considered by the Commissioners themselves which obviously takes longer and extends the clearance time.¹¹ Second, as discussed previously a large percentage of FPPC declinations involve matters over which the FPPC has no jurisdiction; these matters may be disposed of quickly simply by writing a letter to that effect and their quick resolution helps to drive down overall clearance time.

Finally we come to the issue of why particular matters are declined. According to the FPPC Enforcement Division Briefing Book, FPPC staff ask two questions when deciding whether a case should be pursued: "Assuming the alleged facts are true, could this case be successfully pursued, and even if the case could be prosecuted, should it be?"¹² As to whether a case could be successfully pursued, the staff address such concerns as whether the complaint states facts which constitute a violation of the PRA, whether it contains information likely to lead to specific violations of specific persons, whether there are readily identifiable witnesses or other evidence, whether there are good defenses to the allegations, and whether every element of the violation can be supported by a preponderance of the evidence. As to whether a case should be pursued, FPPC staff address such concerns as whether there has been an articulatable harm to the political

¹¹ Id. at 1905-08.

¹² FPPC Enforcement Division Briefing Book at page two. We note that the term "prosecuted" is their language, not ours.

process or the public's right to be informed, whether FPPC action will deter future wrong-doers, and whether the case area is a top priority to the FPPC.

In order to evaluate the relative importance of each of these factors, we aggregated data as to the reason why the matters in our dataset were declined. The results are offered in Table Five.

Table Five: Reasons for Declination

Reason	Total	Declinations
No Jurisdiction	29	19%
No Violation	28	18%
Weak Evidence	28	18%
Mitigation	13	9%
De Minimus Violation	7	5%
Alternate Resolution (handled by other agency/indiv.)	6	4%
No History of Violations	5	3%
208 Violation	4	3%
Lack of Resources	3	2%
No History of Violations AND De Minimus Violation	8	5%
No History of Violations AND Lack of Resources	6	4%
Lack of Resources AND De Minimus Violation	5	4%
Mitigation AND De Minimus Violation	5	3%
Mitigation AND No History of Violations	3	2%
Mitigation AND Weak Evidence	1	1%
Mitigation AND Lack of Resources	1	1%
Weak Evidence AND De Minimus Violation	1	1%
TOTAL	153	100%

As discussed above, roughly 19% were declined due to the fact that the FPPC simply did not have jurisdiction to pursue the claim.¹³ Another 18% were declined due to the fact that the alleged actions were not in fact violations of the law. These facts suggest that FPPC staff often play an educative role, explaining to people who file complaints what the law actually says or where to more appropriately direct their complaints. Other prominent reasons for declination included some combination of weak evidence, respondent mitigation, no prior history of violations, and the de minimus nature of the violation. Having discussed our data concerning case declination by the FPPC, we turn now to a discussion of those cases that were pursued.

¹³ Table Five notes that 19% of matters were declined due to lack of jurisdiction whereas Table Two notes that 21% of all claims involved nonjurisdictional matters. The reason for this discrepancy is due to the fact that our universe of cases for Table Five was slightly larger than that of Table Two. Bearing this difference in the "denominator" in mind, the results remain consistent.

II. Matters Pursued

To analyze those matters that the FPPC did pursue, we coded all 518 cases from the publication Political Reform Act 1998 for such variables as respondent, violation, manner of resolution, and fine imposed.¹⁴ As discussed in Table One above, 19% of all pursued matters were against state level candidates or campaigns; 38% were against local candidates or campaigns; 15% were against corporations, businesses, or labor unions; 12% were against private individuals; 7% were against PACs; 6% were against initiative or ballot groups (i.e. groups formed to support or oppose initiatives, referenda or local ballot measures); 2% were against political parties; 1% were against other individuals or institutions.¹⁵ Note how the composition of respondents changed over time.

Table Six: Respondents By Year

<u>Respondent</u>	<u>1980-82</u>	<u>1983-85</u>	<u>1986-88</u>	<u>1989-91</u>	<u>1992-94</u>	<u>1995-97</u>	<u>TOTAL</u>
Cand/Camp State	8	11	13	24	18	24	98 (19%)
Cand/Camp Local	9	9	27	43	42	64	194 (38%)
Party	2	1	1	1	3	4	12 (2%)
PAC	3	1	2	7	13	9	35 (7%)
Corp/Union	1	1	11	18	13	36	80 (15%)
Ballot Group	3	0	5	6	12	7	33 (6%)
Individual	7	2	12	11	14	17	63 (12%)
Other	0	0	0	1	0	2	3 (1%)
TOTAL	33	25	71	111	115	163	518 (100%)

First, local candidates or campaigns are increasingly pursued at higher rates. In the 1980-1982 time period, less than ten local candidates or campaigns had matters decided against them, whereas between 1995 and 1997 that number had jumped to over sixty. Actions against state candidates or campaigns have increased slightly over time (due to the fact that the overall number of actions has increased per year). Finally, actions against

¹⁴ A detailed explanation of our methodology is offered in Appendix 1-A.

¹⁵ Using a randomly selected subsample, we found that of all matters pursued against candidates or campaigns—including both statewide and local officials—75% were against incumbents and 25% were against challengers.

corporations, business, or labor unions have increased from one between 1980-1982 to thirty-six between 1995 and 1997.

We next examined the types of violations that were pursued by the FPPC since 1980.¹⁶ Of violations pursued, roughly 46% were some type of reporting violation, 17% involved illegal reimbursement, 15% involved conflicts of interest, 9% involved statements of economic interest, 8% involved disclaimer violation (i.e. disclaimers on political advertisements), 2% involved lobbying violations, 2% involved personal use of campaign funds, and 2% involved other infractions. As was the case with respondents, the composition of violations pursued changed over time both in terms of quantity and quality. First, the total number of actions increased over time, as displayed by Table Seven.

Table Seven: All Matters Pursued—Violations By Year

Violation	1980-82	1983-85	1986-88	1989-91	1992-94	1995-97	TOTAL
Illegal Reimb.	2 (6%)	3 (12%)	5 (7%)	8 (7%)	24 (21%)	47 (29%)	89 (17%)
Reporting	19 (58%)	7 (28%)	39 (55%)	63 (57%)	54 (47%)	56 (34%)	238 (46%)
Disclaimer	5 (15%)	4 (16%)	5 (7%)	17 (15%)	5 (4%)	7 (4%)	43 (8%)
Personal Use	0	1 (4%)	0	0	3 (3%)	5 (3%)	9 (2%)
COI	3 (9%)	3 (12%)	10 (14%)	13 (12%)	18 (16%)	28 (17%)	75 (15%)
SEI	1 (3%)	4 (16%)	9 (13%)	7 (6%)	10 (9%)	13 (8%)	44 (9%)
Lobbying	3 (9%)	2 (8%)	3 (4%)	2 (2%)	1 (1%)	1 (1%)	12 (2%)
Other	0	1 (4%)	0	1 (1%)	0	6 (4%)	8 (2%)
TOTAL	33 (100%)	25 (100%)	71 (100%)	111 (100%)	115 (100%)	163 (100%)	518 (100%)

In the 1980-1982 period, the FPPC pursued 33 actions; by the 1995-1997 period, that number had grown to 163 (due, most likely, to larger staff and greater resources).

Also, the composition of violations has changed as well. Illegal reimbursements, which constituted only 6% of those matters pursued in the 1980-1982 time period increased dramatically, constituting 29% of all matters pursued by the 1995-1997 time period.

Reporting violations have fluctuated over time, though comparatively fewer were pursued in the 1995-1997 period than previously. Pursuit of disclaimer violations has decreased over time, whereas conflict of interest cases have slightly increased. These

changes could be due to any number of factors, such as changes in the underlying incidence of the infractions, the referral rates for particular infractions to the FPPC, or the prioritization of particular infractions by the FPPC. This said, it is unquestionably true that the FPPC has recently focused its attention on the pursuit of illegal reimbursement cases, consonant with their stated strategy to pursue these infractions.

Pursuant to the request of the Commission, we disaggregated the category “reporting violations” into late reporting, inaccurate reporting, and failure to report (with a small residual category of “reporting violation, could not be determined”). The results, displayed in Table Eight, demonstrate that of all reporting violations, 46% concerned failure to report, 31% concerned late reporting, 22% concerned inaccurate reporting, and 1% fell into the residual category.¹⁷

Table Eight: Reporting Violations, By Year

Violation	1980-82	1983-85	1986-88	1989-91	1992-94	1995-97	TOTAL
Late Rep.	4	0	13	19	18	19	73 (31%)
Inaccurate Rep.	5	6	7	12	14	9	53 (22%)
Failure to Rep.	10	1	18	32	22	27	110 (46%)
Rep., CNBD	0	0	1	0	0	1	2 (1%)
TOTAL	19	7	39	63	54	56	238 (100%)

Also pursuant to Commission request, we examined the resolution of matters pursued by the FPPC, finding that 88% of all matters resulted in a stipulation, 6% resulted in a hearing by an Administrative Law Judge, 2% resulted in a civil suit, and 4% resulted in a default judgment.

Turning next to the fines levied by the FPPC—including any fine reached in a stipulation, an ALJ hearing, or a civil suit—we compared all fine amounts over time. The results are offered in Table Nine.

¹⁶ Many matters involved multiple infractions, especially reporting violations (which often had both late filing and failure to file violations together). We coded for the most serious infraction in a given matter, based upon the facts of the case as presented in the PRA 1998 Handbook.

¹⁷ Although useful, one should not make too much of the distinction between late reporting and failure to report. Often it appeared (at least from the brief Handbook summaries), that many respondents may have filed their reports late after a complaint was lodged against them. Thus, without the enforcement action some late filing cases would really have involved a failure to file.

Table Nine: All Matters Pursued—Fines By Year

<u>Amount</u>	<u>1980-82</u>	<u>1983-85</u>	<u>1986-88</u>	<u>1989-91</u>	<u>1992-94</u>	<u>1995-97</u>	<u>TOTAL</u>	<u>As a % of All Matters</u>
0-1,000	12	6	13	12	6	4	53	10%
1,001-3,000	11	10	27	39	32	37	156	30%
3,001-7,000	5	2	15	32	27	40	121	23%
7,001-11,000	1	1	8	12	15	24	61	12%
11,001-20,000	4	4	7	11	16	23	65	13%
20,001-30,000	0	1	0	0	4	12	17	3%
30,001-50,000	0	0	0	2	7	13	22	4%
50,001-100,000	0	0	1	0	3	6	10	2%
100,001- 200,000	0	0	0	3	2	1	6	1%
200,000+	0	0	1	0	3	3	7	1%
TOTAL	33	24	72	111	115	163	518	100%

Ten percent of all matters pursued ended with a fine less than \$1,000 while 30% ended with a fine between \$1,000 and \$3,000 and another 23% ended with a fine between \$3,000 and \$7,000. Twenty-five percent ended with a fine between \$7,000 and \$20,000 while 7% resulted in fines between \$20,000 and \$50,000. Finally, twenty-three matters, or 4% of the total matters, resulted in fines in excess of \$50,000. We would also note that the level of fines increased over time. Fines of less than \$1,000 became increasingly rare over time, while fines between \$3,000 and \$7,000 became much more common. At the other end of the spectrum, large fines (which we define as those in excess of \$50,000) increased dramatically over time. There were no large fines levied between 1980 and 1985, only five levied between 1986 and 1991, but eighteen levied between 1992 and 1997. Certainly some of this increase in fine is due to inflation--\$1,000 in 1980 was appreciably more than \$1,000 in 1997—but inflation alone cannot explain the upward trend over time. Consistent with our research involving the Federal Election Commission, agencies that enforce election law generally have relied upon greater fines over time, presumably to enhance deterrence. It is questionable, however, whether fines in the range of zero to \$7,000—or even fines between \$7,000 and \$15,000—will deter large campaigns, wealthy PACs, corporations, labor unions or affluent individuals. Especially as the cost of campaigns has increased in the last decade, it cannot be dismissed that some candidates, individuals, or groups simply can internalize the present fines as the “cost of doing business” in California politics.

For additional information, we would refer the reader to Appendix I-B entitled “All Matters—Violations By Fine.” As comes as no surprise, the largest fines tended to be levied in cases involving illegal reimbursement or, sometimes, reporting violations. Personal use and lobbying violations tended to receive comparatively low sanctions. Sanctions for conflict of interest and statement of economic interest matters tended to be between \$1,000 and \$7,000 with a significant portion of conflict of interest cases receiving fines between \$7,000 and \$20,000.

Deterrence depending on both severity of sanction and the speed with which the sanction is imposed, we next examined how long it took the FPPC to close cases—that is, the time from the receipt of a complaint to its ultimate disposition. For this, we worked together with the staff at the FPPC to create a dataset of cases that were pursued and closed during the years 1994-1998. Because we had to coordinate this list with our master list (which only included cases pursued up until 1997), we ended up with a smaller dataset of 190 codeable cases. We first examined how long cases took to conclude based upon how their ultimate form of disposition. The results are offered in Table Ten.

Table Ten: Time to Resolution Based Upon Form of Disposition

Time to Disposition	<u>Manner of Disposition</u>				<u>TOTAL</u>
	Stipulation	ALJ Hearing	Civil Suit	Default Judg.	
0 – 1 year	53	0	0	2	55 (29%)
1 – 2 years	59	2	1	4	66 (35%)
2 – 3 years	41	3	1	3	48 (25%)
3 – 4 years	11	0	0	0	11 (6%)
4 or more years	7	1	1	1	10 (5%)
TOTAL	171	6	3	10	190 (100%)

Slightly less than one-third of all matters were settled within one year, roughly another third were settled in one to two years, one-quarter of all matters were settled in two to three years, and roughly 10% of all matters took three or more years to conclude. One would expect that matters that went to an Administrative Law Judge Hearing or civil suit

would take longer to finalize than those matters disposed of by stipulation, but this was not always the case.

In order to examine this dynamic further, we attempted to compare the time to ultimate disposition with case severity, assuming that more difficult or more contentious cases will take longer to resolve. Of course, there is no objective definition of case “severity” and therefore proxies must be used. One possible proxy of severity is the type of infraction (illegal reimbursement, disclosure violation, lobbying violation, etc.). We rejected this proxy based on the fact that one cannot a priori conclude that all illegal reimbursement cases are necessarily more serious or contentious than disclosure violations—it depends on the given case. Nor did we feel that the number of counts in the case was a good proxy (especially given that some of what would appear to be very serious infractions had so many counts that they simply were listed in the FPPC publication as “numerous”). Ultimately, we decided that the best proxy for case severity—albeit an imperfect one—was the fine that the respondent eventually paid. The results of comparing fine levied against time to ultimate case disposition are offered in Table Eleven.

Table Eleven: Time to Resolution Based Upon Fine Levied

<u>Fine</u>	<u>Time to Disposition</u>					<u>TOTAL</u>
	<u>0 – 1 year</u>	<u>1 – 2 years</u>	<u>2 – 3 years</u>	<u>3 – 4 years</u>	<u>4+ years</u>	
0 - \$3,000	13	18	12	1	1	45
\$3,000 - \$7,000	11	21	12	1	1	46
\$7,000 - \$15,000	14	12	14	6	3	49
\$15,000 - \$25,000	7	6	2	1	3	19
\$25,000 - \$50,000	6	5	4	1	2	18
\$50,000 - \$100,000	3	3	2	1	0	9
\$100,000 - \$200,000	0	0	1	0	0	1
\$200,000+	1	1	1	0	0	3
TOTAL	55	66	48	11	10	190

Although one would expect that cases in which large fines were imposed would generally (though not always) take longer to finalize than cases with comparatively small fines, this did not appear to be the case. Admittedly, simply because a case took a long

time to finish does not necessarily mean that large amounts of resources were consumed—it is possible that there simply were long delays between contacts with the respondent or the FPPC or that each side changed their “bargaining position” several times throughout the mediation process as facts and evidence became more clear. Nevertheless, the deterrent value of fines will decrease over time, especially if respondents know that they will not have to pay a fine for several years (or even into the next election cycle). It is thus potentially problematic that most of the cases with the lowest level of fines (\$1,000 to \$3,000) took between one and three years to settle, as did most of the cases with fines between \$3,000 and \$7,000.

Financial penalties and fines are one avenue of deterrence; another reason that groups and individuals may forego violating the Political Reform Act is because they are afraid of the negative publicity that could result if the press were to inform the public of any illegalities. Pursuant to Commission request, we include information that we gathered for another project about the “informal” sanctions of negative media coverage.

III. Informal Sanctions for Campaign Finance Violations

In addition to the formal sanctions of administrative, civil and criminal penalties, campaign finance law enforcement relies upon the informal sanctions of public opinion; those who break the law not only face the prospect of fines if found liable, but they also may suffer at the polls as a result of public reaction to their infraction. The political marketplace acts as a natural enforcement mechanism under the proper conditions as full disclosure of a candidate’s violations gives voters valuable information that they can use in their electoral choices. Borrowing from previous research, we will first elaborate on the idea of informal sanctions and then explore evidence that the press play a significant role in promoting campaign finance compliance through publicity.¹⁸

¹⁸ Our research in this area is limited only to campaign finance violations. It does not cover conflict of interest, statement of economic interest, or lobbying violations.

By informal sanctions, we mean the political penalties that candidates or donors pay when they violate campaign finance regulations. The notion that there might be an electoral cost is most clear in the case of candidates. Candidates who are running for office want to maximize votes, and if they come under a cloud of suspicion for allegedly violating campaign finance laws, they risk losing voter support. Since many factors decide whether a candidate will win a given election (e.g. party strength, the nature of the economy, the relative issue positions of the candidates, etc), there is no guarantee that a candidate who suffers a diminution of trust or perceived honesty will lose the election. However, *ceteris paribus*, a vote maximizing candidate, especially a risk averse one, will strongly prefer to avoid such problems if at all possible. The case for informal sanctions operating on individuals and groups that make contributions is a little weaker, but it is plausibly of some importance. Individuals and groups that do not obey the rules develop negative reputations with the public and the press. As a consequence, candidates who take money from them potentially face guilt by association. Since contributors want to have access and influence, they avoid violating the law in order to avoid becoming a political pariah.

Hence, assuming that the public obtains the information of legal violations, there is reason to believe that the informal sanction is a valuable deterrent to candidates and donors who might otherwise violate the law. We thus offer a preliminary model of the informal sanction process in which there are four actors. First, there are the candidates. Candidates are assumed to be maximizing votes, and they and their assistants look for information that they can use to show their opponents' weaknesses. Opposition researchers routinely look for controversial donors to their opponent's campaign and violations opponents have committed. Voters, however, know that candidates will be quick to make charges about their opponents, and thus they have to discount unfiltered information they receive from a campaign about an opponent. Hence candidates and their assistants must look for ways to make their information more credible to voters.

This is where the second and third types of actors in our model—the press and the enforcement agency—figure in. The press seeks to provide coverage of campaigns. Given a seemingly endless stream of information about the candidates that the press

could potentially write about, and given that public interest in and attention to politics is limited, the press covers the most important and newsworthy stories. An investigation by the FPPC validates charges in a way that the opponent's allegation cannot. Also, the agency's investigation provides the facts that are the starting point of a reporter's story.¹⁹ In addition to often bringing the initial complaint to the FEC or FPPC, the opponent's campaign will typically alert reporters to potential violations and provide reporters with additional leads. When the story appears in the media, it brings the matter to the attention to voters (the fourth actor in the model) with the additional credibility of both the investigating agency and the media.

There are then several possible ways that the public becomes informed. First, voters might take the time to search through FEC and FPPC reports. Given what we know about most voters, this is implausible for all but a miniscule number of them. The second route is via the political advertising of the candidate's opponents. The problem here is that the information might be biased or inaccurate, because candidates have an incentive to portray their opponents in the worst possible light. The third route is through the press. This has greater credibility because the press is more objective in general than are political candidates.²⁰ Thus, informal sanctions depend heavily upon the linkages between the agency and political opponents (who stimulate the agency to investigate potential violations), the agency and the press (who provide the reporters with information that might be newsworthy and credible), and finally the press and the public.

Clearly, the press is critical to a well-functioning informal sanction system. But is there any evidence that the press plays this role in campaign finance enforcement? While there are many aspects of informal sanctions we could study, we will focus our empirical investigation on the specific linkage between the agency's finding of a violation and the role that the press plays in making the public aware of that violation. If

¹⁹ This is especially true of legal violations, a particularly newsworthy topic for the press inasmuch as it is relevant to an understanding of a candidate's character.

²⁰ Hence the recent advertising trends in elections such as television advertisements that feature cut-outs of newspaper headlines describing the opposition's various shortcomings, coupled with an ominous voiceover to the effect of "The San Francisco Chronicle has THIS to say about candidate X." By referencing more reputable sources, campaigns seek to overcome voter skepticism of the underlying negative message.

this linkage does not operate well, it is clear from our model that voters will lack credible information about the charges that opponents make in this area.

Studies by political scientists researching the relationship between political scandal and electoral support offer modest—though only modest—encouragement to the notion that the taint of malfeasance has electoral consequence.²¹ The causally prior question we choose to explore is whether voters have access to credible information about these infractions. In order for the press coverage to work effectively, it should meet two conditions: first, the press must cover these violations, and second, the amount of press coverage a violation receives should be proportionate to the gravity of the violation committed. The first condition is obvious. If the press neglect to report on campaign finance violations, the public is less likely to know about them from a credible source. The second condition, however, is equally important: if the press report on violations without priority as to the seriousness of the infraction, the public receives less valuable direction about the importance of the information being provided. If a missed deadline receives as much attention as illegal reimbursement, then the significance of a serious infraction will be lost in the noise of general campaign news.

This gives us two propositions to test. The first is that press coverage is a function of the severity of the infraction, measured in terms of dollar fines or by a scale of

²¹ For the purposes of this investigation, we will assume that information about a violation might affect a candidate's prospects. It is comforting to note that there is some evidence in the political science literature that scandals can diminish an incumbent's vote margin, cause strategic retirements or encourage stronger challengers. Jacobson and Dimock, for instance, find that the 1992 Congressional bank scandal contributed to greater retirements as well as higher numbers of defeats in primary and general elections. Gary C. Jacobson & Michael A. Dimock, "Checking Out: The Effects of Bank Overdrafts on the 1992 House Elections," 38 *American Journal of Political Science* 601-24 (Aug. 1994). They caution, however, that powerful processes of cognitive dissonance are at work in voters' minds, often softening the potentially damaging effects that a scandal might have. Michael A. Dimock & Gary C. Jacobson, "Checks and Choices: The House Bank Scandal's Impact on Voters in 1992," 57 *Journal of Politics* 1143-59 (Nov. 1995). Other scholars also have found that the effects of scandals tend to be more limited than people expect unless the incumbent faces a strong, well funded challenger. John Alford et.al., "Overdraft: The Political Costs of Congressional Malfeasance," 56 *Journal of Politics* 788-801 (Aug. 1994). See also Monica Bauer & John R. Hibbing, "Which Incumbents Lose in House Elections: A Response to Jacobson's 'The Marginals Never Vanished,'" 38 *American Journal of Political Science* 262-71 (Feb. 1989); Timothy Groseclose & Keith Krehbiel, "Golden Parachutes, Rubber Checks, and Strategic Retirements from the 102d House," 38 *American Journal of Political Science* 75-99 (Feb. 1994). This is unsurprising. Although voters may prefer candidates who are untainted by scandal, they also look for candidates who meet their preferences with respect to party affiliation and issue positions.

infractions ranging from disclaimer violations to attempts to deceive and bypass the law. The second is that press coverage is driven by the salience of the office such that only the most visible, high level offices and the more familiar political figures receive significant coverage.

To test these propositions, we created a list of all of campaign finance violation cases that the FPPC has taken against candidates, their campaigns, and their treasurers and randomly selected 105 for study. We then ran a Nexis search looking for any newspaper articles that mentioned both the candidate and the Fair Political Practices Commission²² and merged this data with our information culled from FPPC records concerning the infractions of which the candidates were accused and the fines which were imposed.

The first question we ask is how frequently do infractions get covered? Table Twelve reveals that the media covered FPPC violations in about two thirds of the cases. A little over another third of the cases received between one and three stories, and less than a fifth got ten or more stories, which would constitute extensive coverage. Another way to look at the coverage is in terms of the number of different media sources that covered these cases. Aside from the third or so that received no coverage, 32% of the cases were covered by only one newspaper and another quarter by three or four newspapers. It is fair to conclude from this evidence that FPPC infractions do get covered by the press frequently, but that there is considerable variation by case in the degree of coverage they receive.

²² Specifically, we searched the “newspapers—us” library using the following search (“Fair Political Practices Commission” and “[candidate’s name]” and violat!) The “violat!” term limited the search to articles that contained any of the words violate, violating, violates, or violated. This was done to help ensure that the news articles were related to campaign finance infractions. We initially ran the search using only the candidate’s name and the term “Fair Political Practices Commission” and found that a large percentage of the articles retrieved concerned matters such as proposals for FPPC reform, FPPC budget matters, FPPC relationships to other state ethics commissions and other matters unrelated to enforcement.

Table Twelve: Print Media Coverage of FPPC Cases

I. Number of Stories

	0	1-3	4-6	7-9	10+	TOTAL
%	31%	38%	13%	2%	16%	100%
N	33	40	14	2	16	105

II. Number of Sources

	0	1-3	4-6	7-9	10+	TOTAL
%	31%	57%	6%	4%	2%	100%
N	33	60	6	4	2	105

This leads to a second question: does the amount of coverage vary with the severity of the infraction or do other factors such as the saliency of the office account for the variance? While the answer to this requires a full statistical model, we can in a preliminary way look at whether there is any simple relationship between the amount of fine levied against a campaign or candidate and the degree of press coverage the infraction gets. The assumption behind this is that the size of the fine is a reasonable proxy for the gravity of the violation.

We wanted to test our propositions by running a multivariate model that controls for both the severity of the infraction and other factors such as the salience of the office and trends over time. In our model, we employ two measures of infraction severity: the amount of the fine and an ordinal classification of the type of violation. In essence, the ordinal scale places illegal reimbursement ahead of reporting violations and failures to meet deadlines. The idea is that illegal reimbursement constitutes a willful attempt to bypass disclosure whereas the reporting violations will seem more like clerical problems.²³

²³ We also have several variables that capture the possibility that the salience of the office a candidate is running for will heighten press scrutiny, thereby increasing the odds that there will be coverage of any FPPC violation. Hence, we include dummies for whether the race was for Governor, a big city Mayor or State office. The residual category includes various county, city and local offices. In various trial specifications, we also included a variable for the year of the infraction to control for a possible trend to increase fines over time. The reader will recall that we found a trend of this sort in the federal data.

The results of the regression are displayed in Appendices I-C and I-D. To summarize their findings, there is evidence that both the gravity of the violation and the salience of the office increase the amount of press coverage an infraction receives. The coefficient on both the amount of the fine is positively signed and significant at the .01 level. Similarly, the variables for the Gubernatorial candidates and Mayors of big cities are positive and significant at the .01 level.²⁴

In short, the model confirms that the press reflect the priorities of enforcement to some significant degree. Their coverage, though more focused on high salience races such as the Gubernatorial and big city Mayoral, also increases with the gravity of the violation. This, as we said earlier, is a necessary condition of a properly functioning informal deterrent. If the press were randomly reporting or not reporting at all on these infractions, then the public would be deprived of the information needed to form judgments about candidates. These findings are reassuring in the sense that the priority condition is satisfied. However, while the priority condition is necessary, it is not sufficient for a well-functioning deterrent. In future work, we will need to explore whether the public uses this information in assessing state and local candidates.

IV. Major Findings

A. Declinations

- Of the declined matters that we studied, 42% were declined without investigation, 41% were declined after an investigation, and 17% were declined after the FPPC sent the respondent a formal warning letter (following an investigation). Given the parameters of the available data, we have no way of determining the time or resources that went into these matters.

However, the trend in California is much weaker, and when placed in our equations, did not prove to either be significant in its own right or to change the other coefficients in the model.

²⁴ Only the year variable is insignificant, suggesting that linear changes over time is not a problem.

- The FPPC was able to clear the cases that it chose to decline fairly quickly, with almost half of these matters disposed of in two months and 85% of these matters disposed of within six months. Declinations that took longer periods of time always involved full investigations, and in the most extreme cases often involved another government agency assuming jurisdiction of the matter.
- A sizeable proportion of FPPC declinations were due to the fact that the agency had no jurisdiction over the subject matter (19% of all declinations) or no violation had in fact occurred (18% of all declinations). Mitigation, weak evidence, the de minimus nature of the violation, and lack of previous enforcement history also were important factors in the declination decision. This said, we have no evidence either confirming or denying that the FPPC employs its declination policy in a consistent manner.

B. Matters Pursued

- Nineteen percent of all matters pursued were against state level candidates or campaigns; 38% were against local candidates or campaigns; 15% were against corporations, businesses, or labor unions; 12% were against private individuals; 7% were against PACs; 6% were against initiative or ballot groups (i.e. groups formed to support or oppose initiatives, referenda or local ballot measures); 2% were against political parties; and 1% were against other individuals or institutions.
- Of violations pursued, roughly 46% were some type of reporting violation, 17% involved illegal reimbursement, 15% involved conflicts of interest, 9% involved statements of economic interest, 8% involved disclaimer violation (i.e. disclaimers on political advertisements), 2% involved lobbying violations, 2% involved personal use of campaign funds, and 2% involved other infractions.

- Pursuit of illegal reimbursement cases increased dramatically over time, pursuit of disclaimer violations generally decreased over time, and pursuit of reporting violations fluctuated over time (though decreased in the 1994-1997 time period).
- 88% percent of matters ended in a stipulation, 6% resulted in an ALJ hearing, 2% resulted in a civil suit, and 4% resulted in default judgments.
- Ten percent of all matters pursued ended with a fine less than \$1,000 while 30% ended with a fine between \$1,000 and \$3,000 and another 23% ended with a fine between \$3,000 and \$7,000. Twenty-five percent ended with a fine between \$7,000 and \$20,000 while 7% resulted in fines between \$20,000 and \$50,000. Finally, twenty-three matters, or 4% of the total matters, resulted in fines in excess of \$50,000.
- Fines increased over time, with smaller fines becoming less common and larger fines becoming more frequent. Of fines in excess of \$50,000 none were levied between 1980 and 1985, only five levied between 1986 and 1991, but eighteen levied between 1992 and 1997. Large fines tended to be levied in matters involving illegal reimbursement or serious reporting violations.
- Slightly less than one-third of all matters were settled within one year, roughly another third were settled in one to two years, one-quarter of all matters were settled in two to three years, and roughly 10% of all matters took three or more years to conclude. Although one would expect that matters that went to an Administrative Law Judge Hearing or civil suit would take longer to finalize than those matters disposed of by stipulation, this was not always the case.
- Most of the cases with the lowest level of fines (\$1,000 to \$3,000) took between one and three years to settle, as did most of the cases with fines between \$3,000 and \$7,000.

C. Media Coverage of Campaign Finance Violations

- The media covered FPPC campaign finance violations in about two thirds of the cases. A little over another third of the cases received between one and three stories, and less than a fifth got ten or more stories, which would constitute extensive coverage. Aside from the third or so that received no coverage, 32% of the cases were covered by only one newspaper and another quarter by three or four newspapers.
- There is evidence that both the gravity of the violation and the salience of the office increase the amount of press coverage an infraction receives.

Thoughts for Consideration

1. Although we have no evidence either confirming or denying this accusation, political law attorneys we spoke with suggested that the FPPC is inconsistent in its declination policy (although these same interviewees believed that the situation had much improved in recent years). Similar criticisms had been levied by the Auditor's Report several years ago. Recognizing that declination is an inherently subjective endeavor, it is perhaps prudent that the FPPC take steps to standardize or operationalize the criteria by which it declines cases.
2. Perhaps the amount of fine per violation should be increased. Although fines on the whole have increased over the years, many are still at a level where it is difficult to believe that they will deter many would-be wrongdoers. Especially for larger campaigns or contributors, the present level of fines probably often could be internalized as the cost of running a campaign.
3. The FPPC takes a comparatively long time to settle cases that result in low-level fines. Perhaps attention should be focused on implementing

procedures or policies that would facilitate quick resolution of these potentially less serious cases.

4. Given that the media do appear to cover campaign violations, attention should be focused on ensuring that they receive adequate enforcement information in a timely manner.

Appendix I-A Methodology for Dataset One (Matters Pursued)

- 1 = Case Number (by FPPC coding system)
2 = Year
3 = Accused (by name)
4 = Identity, where
 1 = Candidate/Treasurer/Campaign State Office (Assembly, Senate, and State-wide)
 2 = Candidate/Treasurer/Campaign Local Office (Everything Else)
 3 = Political Party
 4 = PAC
 5 = Corporation/Business/Labor Union
 6 = Initiative/Ballot Group
 7 = Private Individual
 8 = Other
5 = Counts (number of alleged violations, CNBD = Could Not Be Determined)
6 = Offense, where
 1 = illegal reimbursement (money laundering)/contributions in the name of another
 2-A = late reporting
 2-B = inaccurate reporting
 2-C = failure to report
 2-D = reporting violations, could not be determined further.
 3 = disclaimer/public notice violations
 4 = personal use of campaign funds
 5 = other
 6 = conflict of interest
 7 = statement of economic interest violation (SEI)
 8 = lobbying offenses
7 = Amount in dispute (in dollars), where
 1 = 0-1,000
 2 = 1,001-3,000
 3 = 3,001-5,000
 4 = 5,001-7,000
 5 = 7,001-9,000
 6 = 9,001-11,000
 7 = 11,001-13,000
 8 = 13,001-15,000
 9 = 15,001-20,000
 10 = 20,001-25,000
 11 = 25,001-30,000
 12 = 30,001-35,000
 13 = 35,001-40,000
 14 = 40,001-50,000
 15 = 50,001-75,000
 16 = 75,001-100,000
 17 = 100,001-150,000
 18 = 150,001-200,000
 19 = 200,001+
8 = Resolution, where
 1 = stipulation
 2 = Administrative Law Judge hearing
 3 = civil suit
 4 = default
9 = Fine (in dollars), where CODING SAME AS FOR #7
10 = Time to Final Disposition, where
 0 = one to three months
 1 = four to six months
 2 = seven to nine months
 3 = ten to twelve months
 4 = thirteen to fifteen months
 5 = sixteen to eighteen months
 6 = nineteen to twenty-one months
 7 = twenty-two to twenty-four months
 8 = twenty-five to twenty-seven months
 9 = twenty-eight to thirty months
 10 = thirty-one to thirty-three months
 11 = thirty-four to thirty-six months
 12 = thirty-seven to thirty-nine months
 13 = forty to forty-two months
 14 = forty-three to forty-five months
 15 = forty-six to forty-eight months
 16 = more than four years
 17 = CNBD

Appendix I-B: All Matters--Violations By Fine

<u>Amount</u>	<u>Ill.Reimb.</u>	<u>Reporting</u>	<u>Disclaimer</u>	<u>Personal Use</u>	<u>COI</u>	<u>SEI</u>	<u>Lobbying</u>	<u>Other</u>	<u>TOTAL</u>	<u>As a % All Matters</u>
0-1,000	2	24	6	2	6	6	5	2	53	10.2%
1,001-3,000	3	76	21	2	33	15	3	3	156	30.1%
3,001-7,000	10	65	9	2	16	15	2	2	121	23.4%
7,001-11,000	15	25	4	3	9	3	1	1	61	11.8%
11,001-20,000	20	28	3	0	10	3	1	0	65	12.5%
20,001- 30,000	11	6	0	0	0	0	0	0	17	3.3%
30,001-50,000	13	8	0	0	0	1	0	0	22	4.2%
50,001-100,000	7	3	0	0	0	0	0	0	10	1.9%
100,001- 200,000	3	2	0	0	1	0	0	0	6	1.1%
200,000+	5	1	0	0	0	1	0	0	7	1.4%
TOTAL	89	238	43	9	75	44	12	8	518	100%
As a % All Matters	17.2%	45.9%	8.3%	1.7%	14.5%	8.5%	2.3%	1.5%	100%	

Appendix I-C: Informal Sanctions—Media Stories

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.717 ^a	.514	.484	5.9036

^a Predictors: (Constant), YEAR, GOV, VIOLATION3, STATEOFF, MAYORBIG, FINE_AMT

Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.	
		B	Std. Error	Beta			
1	(Constant)	372.068	272.819		1.364	.176	
	FINE_AMT	.788	.201	.342	3.918	.000	
	GOV	26.882	4.977	.449	5.401	.000	
	MAYORBIG	6.165	2.700	.175	2.283	.025	
	STATEOFF	.387	1.251	.023	.309	.758	
	VIOLATION3		.547	1.083	.037	.505	.614
	YEAR	-.187	.137	-.101	-1.368	.174	

^a Dependent Variable: Media Stories

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.710 ^a	.505	.480	5.9295

^a Predictors: (Constant), VIOLATION3, GOV, MAYORBIG, STATEOFF, FINE_AMT

Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.	
		B	Std. Error	Beta			
1	(Constant)	-1.234	2.176		-.567	.572	
	FINE_AMT	.744	.199	.323	3.731	.000	
	GOV	27.317	4.989	.456	5.476	.000	
	MAYORBIG	5.557	2.675	.158	2.077	.040	
	STATEOFF	.488	1.254	.029	.389	.698	
	VIOLATION3		.633	1.086	.043	.583	.561

^a Dependent Variable: Media Stories

Appendix I-D: Informal Sanctions—Media Sources

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.748 ^a	.559	.532	1.9553

^a Predictors: (Constant), YEAR, GOV, VIOLATION3, STATEOFF, MAYORBIG, FINE_AMT

Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.	
		B	Std. Error	Beta			
1	(Constant)	95.429	90.359		1.056	.294	
	FINE_AMT	.332	.067	.415	4.983	.000	
	GOV	8.570	1.648	.412	5.199	.000	
	MAYORBIG	2.502	.894	.204	2.798	.006	
	STATEOFF	.471	.414	.080	1.137	.258	
	VIOLATION3		-.158	.359	-.031	-.441	.660
	YEAR	-4.785E-02	.045	-.074	-1.055	.294	

^a Dependent Variable: Media Sources

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.744 ^a	.554	.531	1.9564

^a Predictors: (Constant), VIOLATION3, GOV, MAYORBIG, STATEOFF, FINE_AMT

Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.	
		B	Std. Error	Beta			
1	(Constant)	.139	.718		.194	.847	
	FINE_AMT	.321	.066	.401	4.874	.000	
	GOV	8.681	1.646	.417	5.274	.000	
	MAYORBIG	2.347	.883	.192	2.659	.009	
	STATEOFF	.497	.414	.084	1.201	.233	
	VIOLATION3		-.136	.358	-.026	-.380	.705

^a Dependent Variable: Media Sources

Part II—Focus Group Studies and Interviews

The Bipartisan Commission Research Sub-Committee requested that we conduct focus groups on critical categories of filers and users of the data generated by the Political Reform Act of 1974. The purpose of this exercise is to gain some insight into the experiences that those who file and analyze the data have. Since the focus groups are small and chosen on the basis of specific criteria, there is no claim here that their responses are statistically representative of all filers and users. Rather, they provide insight into the types of problems that both face. The IGS conducted formal focus groups (complete with transcription) for both filers (i.e. local treasurers) and journalists. A summary of major findings for the two focus groups is provided at the end of this section. Further, the IGS conducted interviews with two political attorneys; comments are detailed in Part II-C below. All comments have been edited to take out any names or references that might compromise the anonymity of the participants.

A. The Filers' (Local Treasurers) Perspective

The filer focus groups included candidates who filed their own forms, volunteer treasurers and professional treasurers. Many of the expressed concerns were common to all three groups, but the first time candidates and treasurers were more likely to report confusion and difficulties with the filing process than the veteran volunteer and professional filers. In the section that follows, we summarize the various issues raised in these focus groups and provide a sampling of comments that are relevant to that problem. For the sampling and recruitment methodology used for local treasurers, see Appendix II-A.

1. Many of the filers felt that the forms were overly complex and confusing and that the FPPC advice was not always helpful. Consider the following examples:

1a. On FPPC advice.

2.10. 2000

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Male voice: I attended a meeting ... put on by FPPC in Berkeley over at the city hall. I found that to be more confusing than helpful. There are a lot of good questions and they really didn't have any answers to it.

Facilitator: Because the staff just didn't seem to know the answers, you mean?

Male voice: Right. I mean there were a lot of different questions being asked. "Well, I don't know. You have to call us on that."

2. 15. 2000

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Male voice: Yes, and I talked with them. I got a fairly good answer. It took a couple hours. The person didn't know it exactly, which was surprising because I figure that's probably what they do. But they did get me an answer. So, yes, I did have some contact with them and found them very helpful. But I didn't think the clerk's office, beyond telling you this was due, was particularly helpful because they had so many other things to do. So I kind of steered clear. But I'm a smart guy, I got through it. Again, I figured if somebody told me that I didn't provide something I should of, I'd hear about it.

2. 15. 2000

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But what I'm getting at here is, you have a lot of things which are written to address ills on the national or state level, not understanding how these impact local campaigns. The forms and the process is very, very confusing for folks on the local level.

The FPPC will come in and do a two-hour work shop, but the problem is that they have so much to fit into that two hours that they never get around to some of the real basics--like how do you keep the records? What is a filing period? They don't really make people understand that a filing period is like a tax year. Everything that is required to be reported, everything that comes in or goes out within that period, has to be accounted for. It must all balance to the penny on line 17.

1b. As the FPPC's own survey indicated and the Lowenstein experiment reveals, filling out the forms can be a source of confusion, particularly for the first-timer.

2.10. 2000
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I mean the biggest problem for me really was just having to fill it out and not having the software. The only thing that I find confusing about the forms is the section where you record outstanding loans. Either payable or due to you. Because I'm used to ... a balance sheet and an income statement, and the allocation form sort of combines those things in sort of one lump. And it's not very logical, because ...,your only asset really is your cash. So it's not very logical where you're recording the loans that you have outstanding or that you owe.

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I don't know if they can make, like you said, have some form of an EZ form where these things don't apply--I did not have any bank loans, no loans, no extra money coming in from here. Just check them off so you don't need these forms. All you need from me is the one that said I had this much interest on my bank account which I opened for my campaign. I probably made the mistake of putting interest on that bank account, which means now I have to declare a small amount of interest every six months. If I don't find it, I'm scattering through papers trying to find that small \$6 or whatever it is towards...

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Female voice: In-kinds on the local level, first of all they're just not that large. The biggest in-kind you're going to see is--well you're not, and nothing over 500 because you can't, because of the limits.

Female voice: But even without limits, you're looking at \$750 maybe, because they do a fundraiser and they don't do it in [unintelligible] office. Or they've paid for the catering for the house party [that they delivered in their house] and it comes up over \$500--then it's reportable.

1c. Another major source of complexity is the overlay of state and local laws. Since the laws vary at each level and across jurisdictions, it is not always easy to get the rules that pertain to a particular race correct.

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Female voice: The political format is complicated. It's getting more complicated. Every time you pass another campaign reform act, it throws the whole thing in turmoil. It's getting to the point where people have to hire campaign treasurers, and it ought to not be that way.

Moderator: Even at the local level?

Female voice: Absolutely at the local level. Even at the local level I think they're raising somewhere in the neighborhood of 50,000 to 200,000. When you start becoming aware of all of those laws, and then overlaid on top of that are a large number of local campaign ordinances. It just gets to the point here in Oakland--the city of Oakland now has probably spent \$225,000 on special counsels to adjudicate the complaints. Basically the complaints are made because people read this ordinance and they don't understand it. So they file these complaints and your ethics commission doesn't know anything about campaigning, so they hire a special counsel. I had three of them filed last week.

2. A common problem that many filers face is that donors do not complete all the information needed for the disclosure forms. A particularly hard piece of information to get is the contributor's occupation. The dilemma then is whether to take the money and risk the violation or forego the money and risk not having enough money to win the election.

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Male voice: No, they..."Here, here's my check." And maybe they'll give their employer, but getting the other piece of the information, what's their occupation, a lot of times is just a pain to have to follow up and try to..."Okay, what do you do?" It's like, it's an invasion of my privacy. You've got my name, you've got my address.

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Male voice: It depends on the rules... I mean pretty typically the state allows that you make your best effort at getting the information, but of course, you take the money. I mean Oakland had very strict rules, which I now think have been changed. They used to say if you can't get it within a certain amount of time you've got to return it.

Female voice: San Francisco is different, though, because Willie Brown's, half his contributions say "information requested."

Male voice: I mean state law says that you make your best effort and then you say on the form "information requested." They say you're supposed to amend when you do get the commission, but no one does. So...

3. Some of the more conscientious filers worried about the possibility of making mistakes and having to pay fines for their errors. This was less of a concern for the veteran and paid treasurers.

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So yeah, I did worry. The first thing that the FPPC sent me was their latest newsletter, which was all full of the latest fines, right. And I think it was like Wilson Riles, who happened to be working for the FSC upstairs from us in the same building. And they were like letting us use their phones. I'm going, "Oh my god, they fined this man all this money." And really, you don't have a whole lot of recourse.

4. When faced with the inconvenience or perceived unnecessary complexity of the forms, some of the filers take matters into their own hands and assume that they will not get caught.

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But the other thing I find a little annoying is they want you to keep everything in a single checking account, which [i.e.], cash basis. And then they say, all right, now your expenses record all of those checks that you have written but yet have not been cashed. And then the next time it's a matter of doing a reverse of that. And I find that such a pain, and I hope--

Female voice: Oh, I just don't do it.

Male voice: ... I just report it on a cash basis--

Female voice: Me too. Absolutely. I don't list my accounts payable.

Male voice: Yeah. I did that a few times and it just got so confusing, having to go back and say, okay, now wait a minute. Did I record this one as issue last time--did I record it last time and have to go back [important]? I finally just said, you know, it's on a cash basis. So that's one of the pieces that I find annoying about it.

5. The veteran and professional treasurers worry more about the audits per se.

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Male voice: ...does the audits. And you're required to do things that we know we have to do now, but it took years of experience. Like you're supposed to keep a sample of literature of your guys' mailings. How are you supposed to say how many have you mailed? And they'll ask you all these questions that in the original reporting you don't need to report. So that's frustrating.

6. As this professional treasurer indicates, the possibility of making a mistake is never zero.

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Female voice: Any treasurer who tells you they don't make mistakes is lying to you or themselves. We all make mistakes. All it takes is to misspell somebody's name. When you go to get a second contribution, you'll never find them to get it.

7. A number of comments suggested that enforcement was uneven and that they personally knew of campaigns and individuals who were getting away with little or no compliance. Whether this was really true or not is of course impossible to tell, but the perception that they were obeying the rules and others were not seems to be fairly common.

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Male voice: Well, also, if you want to know about some of my own campaigns, I usually was my own treasurer. Until the last two times when I ran for BART. But even then my expenses weren't that great. But when I originally ran for--well, no, the latter part of my AC Transit--I was elected there six times--I didn't report in time my overall campaign statement. And they told me that I had a fine of several hundred dollars. So I

wrote to them, mentioning that, look, my campaign didn't amount to beans, like less than \$2,000 at the time. I think this is ridiculous. So anyway, they excused me. They didn't enforce the fine that they had.

Another thing that bothers me is that really, I think the state imposes such a low contribution [wherein] that you have to actually report the person's employment, profession, et cetera. So when I run for BART, I don't accept contributions no more than \$99.

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Sub-vendors, you know the rule about sub-vendors. You know that if you make a payment to somebody and they in turn have made a payment, you're supposed to report it. And a lot of times they don't put it on their invoice.

Well, what'll happen--I'll just tell you the story. One time we were calling around trying to get sub-vendors. And somebody said, "None of the other treasurers call. Why are you calling about this?" So it's not [what they've done].

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Male voice: From what I've seen, I've seen a lot of sloppy reporting. And sometimes it's hazardous, you know, sometimes I feel like it's too bad, like I know too much. And then I feel like...and no one else is doing it. I feel like I know too much, and that's sort of a problem. I see a lot of really bad reports and no one seems to...care.

Female voice: What makes them bad?

Male voice: Well, sometimes you can just tell. They don't have... employer application information.

Female voice: Right.

Male voice: There are things that are just left out. I've done clients who have said, "Listen, I don't think my former treasurer did it right." So they'd hand me this report, and just on the face of it there was like, you had \$30,000 in the bank, and your checkbook says \$20.

Female voice: Something's not right here.

Male voice: Something's wrong. The local level, the knowledge, your local registrars and treasurers, the knowledge is very, very low.

Female voice: But you're saying there's no consequences for that?

Male voice: No, no, there's really none. No, there are not. There's little consistency and enforcement. Maybe for small campaigns this should be abolished, I don't know. Maybe this is my idea--I haven't thought about this--maybe they should require you open up this other checking account, but they can't limit your expenditures, if they could. They could say, you can only spend 20,000 bucks, or \$10,000, period. You have to open up a separate checking account, and if they want to audit you, they can. And you don't have to do this reporting.

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Male voice: No, in the assembly race they did. But I know for instance there was a BART director, the president of the BART board, she hadn't filled out hers for years--probably because she was later found convicted of taking kickbacks to her campaign. What happened to her? Not particularly a whole lot. I don't think she served any jail time for that--and we're talking taking kickbacks--and was allowed to run for re-election even though she had failed to file forms for years. The transit director, I believe--I'm not 100 percent sure--was elected in the last election down in Fremont. My understanding was that she didn't file any forms.

So what good are they? We try to file the forms, we try to play by the rules--the heartache--and yet you play by the rules and nothing happens. You're the only one--you've exposed all your stuff and yet the others are just allowed to keep on going.

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Female voice: A lot. Part of prop 208 is that--I think it came from Bob Stern--that provision about you can't deposit the check without the name, address, occupation and employer on a reportable contribution. Bob Stern came down and said, in

LA we have perfect compliance. I almost fell off the chair laughing. They don't have perfect compliance, they have perfect cheating.

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Female voice: All right. You've got something in a, quote, 45 day rule. I can tell you as a treasurer that I ignore it. Every treasurer I know ignores it because basically what it says is if you're going to pay a reimbursement, you can't pay a reimbursement unless you have a receipt that's dated and it's paid within 45 days from that date of purchase. Come on guys, you get this volunteer who wants a reimbursement for a roll of stamps two months prior. Are you going to tell her no? Sorry, I can't give you a reimbursement because it's 46 days here.

8. Another shared perception was that if those who designed the forms and enforced the laws had to fill them out, there would be more sympathy for the burden it puts on campaigns.

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Male voice: I have an observation. I was on the Oakland commission that made some changes to the original ordinance. And on the commission were some people from Common Cause, and people that were sort of in the spectrum of...well, I guess what I'm trying to say is although there are some aspects of people like that and things about them that I'd like in that position, what I found is that as a treasurer they didn't understand at all what it took to do this reporting. And their attitude was there's no regulation that's too onerous for a political person.

And the thing is that I felt that underlying it was an incredible mistrust—

9. The private attorney general provision introduces another source of potential threat.

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So yeah, I worried, but I didn't worry that much, because we raised and spent \$385,000. I thought that given that it was a very high profile event, high profile election, and that people would probably come after us, I did worry a little bit that everything had to be squeaky clean because people were going to be looking at it. But I didn't worry because we weren't doing anything wrong. So I didn't think that there would be any problems.

As it turned out, one of the organizations that gave us a good size chunk of money--because there were no limits, because it was a ballot measure--failed to file their major donor committee form. And the other ones all did. And I had sent them a letter and everything, and they were friends of mine and they said, oh yeah. And then the person who was responsible left and in the interim they forgot.

So Tony Miller went to the FPPC and said, "I want you to fine this organization for failing to file their report." And the FPPC said, "Well, you know what? We're going to pass on that." And so he's suing them, based on Prop 208.

10. The Internet holds much promise but several of the treasurers who are filing over the Internet under the current law have complaints about the expense and inconvenience.

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Female voice:Then my other concern is the cost, and access for smaller campaigns, smaller organizations. For example, my organization happens to have a DSL connection to the Internet because we use it so much, and that's great. There are going to be campaigns that don't want to spend that kind of money, and so they're going to be sitting there with their 56k modem trying to enter information.

Male voice: Unless they go to a public institution like a library.

Female voice: Yeah, but who wants to be sitting there with their campaign contributions and their checks in the library? You want a little bit of privacy.

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Female voice: Well, there are huge glitches. I don't have so much of a problem with the filing online as I do with the equity. That is, I'm not sure that if you are a single committee--if they're going to make you file online, the least they can do is pay for the lousy web server. The data is no longer on my computer. It is on their web site.

Female voice: But trying to get stuff out of it is a bear. It will get better. I find it hard because I'm not able to do some things that I'm normally able to do. Like I can't access an address. I'm responsible for aggregated contributions but I can't aggregate my address. I can't aggregate by the business name unless the check came from the business.

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Male voice: But the people I work are very frugal, we're very targeted, and we try to spend our money wisely. But when you look at these forms, here's a \$500 filing for electronic filing fee. It's ridiculous. If you want electronic filing then the government should be up front and say we'll pay for it. I'm not a very big advocate of the Internet because not everybody's on it--for various reasons.

11. For campaigns that hire professionals, the cost of filing is significant.

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Moderator: For people that are hiring a professional like you, does it become a fairly considerable expense?

Female voice: You bet, I charge \$50 and [Howard] Hank charges \$170. I had a campaign where Olsen Hagle was going to charge \$1,300 a month. Very expensive. Now when you're

talking about electronic filing, that's \$500 a month. They don't care whether you've got one campaign or 24 campaigns, it's \$500 a month.

12. An unusual problem that was brought up was the prospect that someone might only raise money to pay the filing fees for an office, but that amount of the filing fee then requires filing a disclosure form. This seemed to all to be unfair.

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Male voice: Or maybe you leave it at \$1,000 but you say, any filing fee doesn't apply to that. So then let the filing fee go as high as you want, not that that would be particularly good, but I'm still not getting sucked into that regardless of what number you put on that paper. I just don't apply that. I'm sorry I didn't mention that.

Male voice: No, I like that thought because this if for--granted, somebody else could have fronted that money for you to run but if you don't campaign somebody's going to front that money to put you on the ballot--you're going to run a campaign, they're going to run a campaign for you. A filing fee is there to cover the cost, as I understand it, of the election and other stuff. It's gotten pretty outrageous when the filing fee is already at the limit here. If all you're going to do is file, the a470 should be adequate.

13. Some of the confusion that filers face is caused by the multiple layers of regulations placed by different jurisdictions.

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Male voice: I think at the state--you get the situation just like you said. The local ordinances are kind of nice in a way but they really are controlled by whoever's in power at the time. You have a situation like I just talked about, where an emergency ordinance was pushed through in one evening, overturned an ordinance that had been in place by a [legal limit of voters] that had gotten through in Fremont and had

done this. Then two years later they're trying to change the limit again.

If you're running for office and you see this going on, it's like what do I do? If you're a novice--I've been involved in the campaigns and have concluded that the only way to run for a city council seat, and it's sad--for Fremont, Union City, or Newark, the only way to run is to get involved in the process so that when you do it you're at least a little bit aware of what you're going to get hit with. I've been lucky.

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The district controls the forms going out and the information going out. We saw it on the Union [Sand] board. We ran a candidate. She had to practically pull teeth to get the information out of that board because they didn't want their board to change. She won.

Female voice: There's a problem with that. That is that often times the local jurisdictions don't understand these rules. So you've got your board of supervisors or your city council--whatever--they will pass a campaign reform ordinance. Then depending upon the jurisdiction--for instance, I was doing a campaign in Contra Costa. At that time 73 had been thrown out but you had this ordinance that had fiscal year contribution fiscal limits, it had on year, off year. They required reporting of \$25 contributions and [in-kinds], and expenditures. It was this horrible thing. Well when I went into talk to the county clerk about some of these provisions, he looked at me and said, I just hold people to the high points. He said, I don't know what's in it and I don't care. I happen to think it's silly. I said, okay.

But they've got a state attorney's office who kind of oversees it a little bit. But both Contra Costa and Berkeley never registered their ordinances with the state, which is what they are supposed to do.

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Female voice: No, with the FPPC. The FPPC then goes over it and tells you whether it's legal basically--if it conflicts with state

law. [Oakland's] wouldn't have been registered either except that I ended up calling up there because they had some provision requiring a second account. I called up there and said, they're requiring a second account and you only have one account on your state law. So they had me fax it up and then got a hold of the city attorney. But the point is that your local jurisdictions don't know what the rules are. Frequently you have people in charge of these local ordinances that don't know anything.

B. The Journalists' Perspectives

A second set of focus groups invited journalists who had worked on campaign finance stories to share their experiences in using the data generated by the Political Reform Act. Those who attended represented a broad spectrum of newspapers and covered politics at either or both the local and state levels. In general, their perspective was understandably very different from the treasurers and candidates who fill these forms out: journalists do not have to bear the costs and inconveniences of providing more information, and the more data they can get, the better their stories will be. Clearly, the Commission is faced with a trade-off between the “politically self-cleansing” value of full disclosure (i.e. the journalists’ perspective) and the potential chilling effects that full disclosure might impose on those who have to comply with the law (i.e. candidate/treasurer perspective). In addition, an important theme that comes out of the journalists’ discussions is the need to pay attention to the back-end of disclosure: namely, how easy is it to use the data to uncover the connections between money and political action. If the data are hard to use, then the effort to provide it is potentially wasted. For the sampling and recruitment methodology used for journalists, please see Appendix II-B. For a detailed list of recommendations and suggestions made by journalists, please see Appendix II-C.

1. Tracking the Path of Lobbying. Information about lobbying does not distinguish between how much lobbying effort goes into a particular bill for a client versus the entire set of legislation the client has retained services for.

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MAN: Well, my problem with the lobbying stuff, and maybe it's just me, but... if there's a big bill going through the Legislature and you want to find out how much a particular company is paying so and so... to lobby on a bill, unless (that firm) is doing that one bill for a particular client, it's hard to find out specifically how much somebody's paying to lobby a particular piece of legislature. It's almost impossible.

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MAN: You'd have to have access to their accounting, to [the firm's] accounting because that's the only place it's going to be detailed.

2. The difficulty of tracing the sources of funding and leadership for committees and bundled contributions. The problem is particularly acute in the case of independent expenditure committees and initiative races.

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MAN: The flip-side really quick, one thing that I found is a frustration is that the Good Government Committees, you know... Californians for Good Government, and you can find out who's giving the money to them...the only thing you have to file about who's running it is the treasurer, and that could be anybody. And there was a particular... on the local level, there was a committee I was trying to (investigate)... but because the treasurer wouldn't talk to me and wouldn't tell me who else was on the committee, I had to sort of track it back. There was no way for me to find out who was running the committee, which to me is fairly problematic, if the treasurer could just say, 'Well, I just deal with the money. You have to deal with the other people running the committee.' 'Well, who's running the committee?' 'Well, I can't tell you.'

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So on that there's different types of reporting money. Thanks to campaign contribution limits on the local level, that's become...it's very difficult to write about "just your regular campaign money," because they bundle, people bundle. They get a room together and everybody ponies up 500. 'Okay.' But you write a story about somebody getting something, and then they say, 'And they gave \$500....' it takes a lot of the air out of the tire because they gave \$500, but the fact is they put together a whole lot of money. I have not found any effective way yet to legislate people to report bundling because it just doesn't happen. Somebody throws a party and it's bundled.

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MAN:

But what happens is ... all the candidate sees is that they got it from this PAC. But where does the money come...okay? An example of this is a union that was taking money from developers... The money was going from developers to the Police Officers' Association, which reports at the county level on the county schedule and then dumps it into the city election on the city cycle. So what's happened is that you have a shield... you have basically laundered the money from the developer. Okay? And you don't know during the election where the money's coming from. It's a serious problem. it's becoming more widespread.

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WOMAN:

Another problem with independent expenditure money is it's being filed at different levels, so it might go to the county office, it might go to the city office, it could end up at the state office. You don't know where to look for it, I mean, it's just all over the place.

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WOMAN: Well, I find it's hard to know all the various committees who are contributing to the initiative, and then finding out who actually contributed to the committees, so it's harder.

WOMAN: The initiative committees are lot like the independent expenditure committees, where they're just all over the place, you know...

3. Aggregation problems. Many of the stories that journalists write look at the total amount of money that given individuals or interest groups put into political campaigns. This is difficult when the names of contributors vary in small ways or when there are other small discrepancies in how the forms are filled out. This led them to push for standardized industry and occupation codes and for a better system of contributor identification.

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The data is not always, you know, in the most useful form. I think some of the employer ID's and tying people to industry or occupation is very difficult. And, you know, it certainly would be nice to have that more systematized and concrete so it could be used. Especially if one of these reform measures passes. And the beauty of no limits on campaign contributions is that the big contributions are very obvious. If somebody gives you ... or \$100,000, it's not very hard to figure out who that is in five minutes, but if we get \$1,000 or \$5,000 limit and people start spreading their money around or bundling contributions, it's going to be much harder to track where all that money is coming from. So it will then be more important to know people's employers and occupations...

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Joe Smith for Senate, and he's already an incumbent, and he's been in, you know, two terms in the Senate, and maybe a couple of times... or six terms or ten terms in the Assembly

before that, before term limits. And every time he changes his committee's name or has a different committee, in every two-year cycle it's a different tribute or code ID you have to put in. So if you always wanted the extensive history, he's been around awhile, and you're trying to look at him over a period of time, and for every election cycle he has four or five different committees, then you have to keep repeatedly looking for information then synthesize it yourself, which also makes it worse is on the contributors... Every time the contributor, if it's a... if one time it's the... every time the contributor changes their committee name or changes their name slightly, or even uses for no real reason, a variation of their name, it gets inputted in with a different contributor code. So for a big contributor, you might have to plow through 15 or 20 different contributor codes...

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MAN: And if you've got a contributor... if you have (Bob Jones) contributes some money, and then the next time it's (Bob and Jill Jones) contributes some money, and the next time it's (Robert M. Jones) contributes some money, and the next time it's (B Jones), every one of those will be a separate listing. And one of those may be, you know, an incredible amount of money, and you just lose it in the mess. So there has to be a way to kind of consolidate those things.

MAN: But when the data's collected on the other end, though, I mean, if it's not a major donor, it's just a \$500 contributor, the contributor doesn't do anything in the reporting system, it's reported by the recipient. So if recipient A gets it from (Bob Jones) and recipient B gets it from (Robert Jones), they have no way of knowing that that's the same person and record it.

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And one of the problems, frustrations, we've had with that has been that the identifiers, basically. If you're trying to analyze it on looking at the big picture, you want to be able to find out how many attorneys or how many of a particular group. And, particularly, on the occupations and identifiers, it might say attorney, it might say lawyer, it might say self-employed. So it can be difficult to run that,

unless you know the names of all the attorneys and you can cross-reference something like that, which theoretically, you can do now, but it's difficult... I think one of the things that would be beneficial would be to have some sort of uniform identifiers in occupations and things like that, so then you can't say self-employed if you are an attorney, and you're a prominent attorney.

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MAN: Just in general on what newspapers do, I think that it really does depend on the reporters to... you know, at our newspapers we tend to farm out Assembly stories, Senate stories to people that are just going to jump in the last couple weeks or months. And a lot of times, they're either not going to be interested or not know how to look at the data. People in Sacramento general do and, generally, on the major campaigns you'll have people that are interested. But on the smaller races, a lot of times, I think those races escape scrutiny.

Maybe the state system will allow us to look at things on a statewide basis to see some of the larger trends that we can't see just by pulling the major donor forms.

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And, generally, I find the material fairly easy to decipher. I agree with everybody else here who has made the comment that the occupation is sometimes difficult to pin down, and that's pretty frustrating a lot of times. For example, you know, we look for law firms a lot. And there will be an entity on there, you know, with three names or four names on it, and you can't tell if it's a law firm, it could be an accounting firm or anything. They need to beef that part of the disclosure requirement.

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MAN: Unique firm identify, unique person identifier, and, you know, using standard...

MAN: The address...

MAN: ...the address, the standard, you know, like SIC codes that the economists use for identifying what a firm actually does, so that you can find, you know, that the disk drive manufacturers, you don't have to guess, you know, what these various firms do, you know, just as an example. Those kind of... if that stuff is all on the contribution forms so they can be searchable by that, that's what we... You also...

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WOMAN: In some senses, though, it's harder because you get these little, tiny contributions and you can't tell where they're really coming from. I mean, you know, that XY Corporation is going to give as much as they want to give anyway, and you just can't see where it's coming from.

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MAN: You know, wouldn't it be wonderful for them to just be forced to code the occupation category for us on the spot? You know, drop, set, pick from 30 different categories...

WOMAN: See, I think there should be a separate code, like an industry code in addition to the occupation...

MAN: I think that's...exactly. That would...you see because that would allow for quick analysis, instantaneous analysis. The most laborious part of doing careful analysis of this is coding this stuff, that's where the time is....If we could...make them choose from 1 of 20 different industry codes....

4. Another major problem is incomplete and inconsistent information. This discussion echoes some of the issues raised by the candidates and treasurers themselves.

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MAN: To figure out who the end user was, was sometimes very difficult, and the reporting wasn't all that helpful. It gave you the shove in the right direction, but then you have to go dig from other sources to find it.

MAN: Dates expenditures, there are no dates in the schedule either. There should be. I mean, that's ridiculous. Why have dates on contributions but not on expenditures? So, you know, particularly, not as much as a problem as it used to be, but legislators using their campaign funds as personal bank accounts, or what's legal, you know, taking people out to lunch and dinner, or what's not. It would be nice to have dates next to those bills, where if they go to... Fat's, or wherever they're hanging out, rather than just six months worth of payments, and you have no idea where and when it went.

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WOMAN: There's also no consistency in terms of enforcement of how much information each candidate supplies. Some candidates are really good about putting in a complete description of the occupation and the employer, some candidates everyone is retired and self-employed, or they just leave it blank.

MAN: You know, before I came over this morning, because I thought you were going to ask about this, I took a peak at the new Secretary of State website, which I haven't really spent much time. And I hope they're going this way, and I haven't talked to them about this, but it's not only the information, but the format in which it's available. And the only thing that's up there basically right now is their search engine and PDF, that I could find. Has anyone found anymore than that? You know, which is from my perspective, while it's nice to be able to get that, those are the two least useful formats.

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MAN: Yeah, so then our problem, practically, and correct me if I'm wrong, is in the closing days of the campaign, it's always amazing how much last minute telegraphed big money contributions come in. And you can't help but

figure it's planned because we're swamped usually going in, with a whole bunch of other stuff that we have to be dealing with as the final go-around, and the major contributions come in. Now, why?

MAN: Well, the problem is that they...

MAN: Because they budgeted to spend that money going... Because you can't make the TV buy, you can't be doing that last minute money unless you know it's... So you know it's a game, that they're putting it in the last minute to cover the money they've already spent, and they're doing it and trying to get it under the radar. And that whops you, is in those last couple of days, you're sitting down there going through those...

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WOMAN: What... you know, who Bob Jones is? Whether he's in high tech, whether he's... you know, who he is. And they just leave the occupation blank. So the question... so it's already required by the FEC, but there's no enforcement.

MAN: And they'll go back and fill it out later, after the election...?

WOMAN: They never fill it out.

MAN: Yeah, 'Information Not Available.' There's.. what do they... I mean, there's sort of a catch word the campaigns like to use. But, you know... but basically, they say, '...we'll give it to you later....' You know, '...sit down and relax....'

WOMAN: And part of that, I think, is just... I mean, you know, I'm not sure if they're doing for nefarious reasons, they didn't... you know, somebody wasn't... didn't sign the right thing at the fund-raiser.

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MAN: Because all... a lot of the benefits of having the database, you know, the electronic database are lost without the address... for all this work we went through to get the electronic stuff, that was a huge setback.

MAN: Right.

WOMAN: You know what they might do, if they're going to post stuff on the Internet and they're concerned about putting address on there, perhaps they could make the data available to us on diskette with a full set of data, and then they know who's asking for it and who's getting it,... sort of thing. So it's not on the Internet, but it's still there.

5. Data analysis could be assisted in various ways.

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... every active contribution needs to be a separate event that appears in a data base that you can search and slice and dice the data on every field. And you can conglomerate it and disaggregate it, and the rest, so that you can look... for people who want to look by Zip Codes, you know, that you can look by Zip Codes you want to look by contributor, you find all the contributions to all the different campaigns. Or you want to look by date, you know, for instance, in the week after a committee passes X bill, you know, how many contributions in the succeeding week did the committee members get from trial lawyers, for instance.

The system, if the contributions were reported timely and they were in a database so that you can... we don't have to put them in. Because we don't have the resources. I mean, if it requires to go and have a... and news aides, etc., enter all that stuff into a FilemakerPro data base that we can slice and dice, we're only going to do that for special projects.

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MAN: Yeah. Yeah. Their search engine works in certain times. But when you want to search across campaigns, or you want to really do some analysis, you want the database yourself. And it seems to me that the next logical step, and I hope that this is going to be part of the other information they provide is, you know, downloadable Excel files. Because the data is coming in some sort of field format to begin with, it should be simply a matter of a simple

conversion. I hope they're going that way. If they're not, I'm going to be greatly disappointed after all this buildup to it.

MAN: Right. Yeah. Because we want to manipulate it, you know, we want to search it. And...their search engines are only as fast as your modem and their modem, and their site.

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MAN: One problem with expenditure categories is they don't tell you very much. They don't provide very strict definitions of what you've got to report. So... '..Well, what does this mean, consultant? Consultant for what? What do they do?...' So going back to what [man] said earlier about contributions, have codes that say, specifically, in categories that they had checked off with the expenditures...

6. The utility of Conflict of Interest filings was questioned.

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MAN: It's useless, and the only thing more frustrating than writing an apparent conflict of interest story is to find out that there's no... there's never a conflict of interest. I mean, the rules are just so loosey-goosey, that they can just seem to loop them anyway they want to. I've never had anybody say that, 'Ah-ha!...' Except for something real basic like you're a renter or something, and usually it's the politician scrambling to be declared something to conflict... I can't remember one where they declared a conflict, or came down on anybody.

MAN: But, again, but on that... let's take a look at who you're looking for on the financial statement. Chances are you've got your politician... the ones where you're really looking for them is the lawyers. You know, the free-standing sort of business person that operates on Monday as a politician and on Tuesday as a lawyer... And we don't get those. I mean, what we get is a bunch of retirement plans, how many houses they might own, things like that.

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MAN: But that's typically what I'm doing conflict of interest stories. I don't tend to look at the conflict of interest forms except peripherally, quickly, because they don't say a whole lot. And then when someone's decided there's a conflict of interest is when I'm writing the story, after, unfortunately, something has already happened. And then the fines tend to be rather low, and it tends to move without any... because they can't prosecute in a criminal manner, just a civil matter. They tend to flow through their cases rather quickly, without a whole lot of effect, other than maybe one or two stories. But I do a story, a least one story a month. And there seems to be a lot of interest in Fresno, not that that will put you out of office, there's just a lot of interest.

7. The journalists on the whole did not find the FPPC investigations to be useful material.

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MAN: The FPPC's generally the end of the process. By the time you hear anything about what they're doing, they've already reached an agreement with the person who is alleged to commit the violation. Generally, if there's a violation, we're either going to see it ourselves and write about it, or you're going to have a campaign that files a complaint with the FPPC, and then you won't hear anything from the FPPC for five, ten years.

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MAN: ...Ray Johnson,he was eventually fined by the FPPC, but I think he was in Congress by then. I mean... the penalties, the swiftness of them, they have no relationship to the seriousness of the offenses. I think... if you use the game analogy with politics, in that campaign finance violations are treated in politics ...like traveling in basketball--you lose one possession, or something, it's not even a technical foul, it's not even ejection from the game. So you can... in Doolittle's

case... you can make an argument that what he did allowed him to ... win an election he wouldn't have otherwise won.

MAN: Well, frankly, we usually get a story, okay. And we tell the FPPC about it, or we call them up and say, 'What are you going to do about this?' And they say, 'Okay...' then they get back, they say, 'Okay, we're going to investigate it.' So later on, when they give us some piddling fine in a very self-serving way, we write about it to show, you know, 'Look what we've achieved.' I personally have found the FPPC over many years, it's totally... I wouldn't say the staff, but the leadership, I think, is a... a political animal, it's biased.

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MAN: The FPPC's taken a lot of hits here. I think, I agree...it could be a more proactive relevant agency, but I think part of the problem is the way the system's set up. Reports are filed with the Secretary of State; the Franchise Tax Board does the audits. So that, ...that trifurcated system doesn't lend itself to a strong centralized enforcement regime. So... if you had the reports, the audits being done at one agency, whether it be the FPPC or whoever.

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MAN: And another problem is...ironically, the FPPC, a lot of its enforcement stuff is done behind closed doors. I mean, there's not a lot of stuff, you know, that's out in the open in court. It's always... stipulated agreement stuff, and lawyers meeting, and, ... coming to some arrangement.

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MAN: There's also some frustration that if you do report a story and you have a good story on a campaign violation, or not even a violation, but the nexus that you're talking about, it sort disappears into the void. And certainly, the FPPC's not the answer to this, they have no teeth at all. We had some discussions about this around our office because one of our editors went off to be the Communications Director of the FPPC. And in the course of her making that decision,

we all kind of took another look at the FPPC and thought about it, because she was asking advice. And as [man] points out, it's like--another sports analogy--you know, Albert Bell spits into the crowd and somebody fines Albert Bell \$100,000, and Albert Bell makes \$15 million a year. What the hell difference does it make? But there's no impact on Albert Bell. There's no impact on anything; there's no impact on the owners willing to hire Albert Bell. So the FPPC fills that same niche, you know, they find somebody who has just raised \$35 million, and they get a \$500,000 fine.

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MAN: My problem with FPPC investigations is ... it gives you a headline, 'FPP Investigating,' 'FPP Leveling Fines.' But most of the stuff I've seen is, you know, they crossed a 't' wrong, dotted this... it's a reporting infraction, and we report it and they pay a fine, or whatever. But it's kind of like a flag on a play, you know, it doesn't really get to the heart of the game.

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MAN: It would be nice if the FPPC could, and obviously, this would involve some massive restructuring for the... act, but frequently when a FPPC, at least in my situation, when an FPPC case is resolved, if someone's won an election two years ago, and very rarely are they actually working on anything... they don't have the capacity to do an open investigation as something potentially as maybe going awry, or at least do it quickly. When they do get a report of a violation, I mean, there's a turnaround time that's just extraordinary... I mean, I'm still writing about stuff that happened two years go, three years ago, elections ago...

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MAN: Where the violations really happen, you know, some of the bigger issues have to do with last minute, unreported contributions, which, you know, which then come up two years later, or three years later, it's a done deal. And...when we talk about wanting to have fast turnaround

on the data, ... what we were talking about in the first part of this discussion, having fast turnaround of the data, if people are sliding past the data and we're doing all this work, crunching the data, you know, as we later find out... there needs to be some mechanism for saying, 'Hey, this is serious and you've got to report it on time.' And some sort of check and some sort of immediate enforcement...

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MAN: ... Timing, also, I think there definitely should be more frequently reporting. It doesn't matter if they're on the Internet or not, they're only reported every six months onto the Internet. And then in non-election years, when they can go six months without reporting it, especially when you're trying to track legislation, if there's legislation in July or August of a non-election year, it's January before you can see the money that's connected to that.

8. The importance of timeliness.

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MAN: Right, right. They're just watching the data more carefully than we are. You know, which that... [man], which brings us to, you know, sort of my pet peeve in this whole system. You say about the... you know, you step back and you talk about the big picture here. The people who are most adamant opponents of campaign finance reform argue, 'Well, the solution to that is information.' Well, if the solution to that is information, I don't think the other side would disagree with instant reporting. And we have reached the technological point where this is a no-brainer, and that it doesn't happen at the federal level and that it doesn't happen at the state level is abhorrent. You know, we should have instant reporting. You get a contribution, you've got 24 hours to get on the Internet and put it in, key it in. You know, you key it in a standard way with standard... you know, they could be sitting there at their fund-raiser typing it right in right as they get the checks. You know, but... this to me is a no-brainer.

MAN: The other requirement that sometimes is burdensome, at least it was last week on the Davis stuff, is that they're still linking reporting deadlines to the postmark on the envelope, which is, you know, their sort of secret way of buying time, frequently buying time past an election or past a point, or, you know, creating another delay that... you know, you try and get Gary... Well, it was postmarked on the right day... Who knows if the, you know, Beverly Hills Post Office, my God, they probably went down there, had the envelope postmarked and then, you know, stuffed their stuff in three days later. Who knows. The point is that it should be in the... that the requirements should not be a postmark because that is, what [man] was saying, that sort of relates back to an older system. It should be in the office or on-line or something on a specific day, not just that needs to be... Because then it sits the Secretary... everyone who has been in the Secretary of State's Office can look behind the counter and see that stack of postmarked stuff that it is not going to make it public for a week, two weeks sometimes, sometimes after an election.

C. The Political Lawyers' Perspectives

[Note: Interviews conducted 3/8/00 at the IGS. Because interviews were not recorded, transcription was not employed; as such, the format for this section is slightly different than for the focus groups.]

Two political lawyers were present. One lawyer was an attorney, with many years experience practicing political law, who specializes in election law as it relates to land use issues, initiative ballot measures, non-profit tax-exempt organizations, political committees, campaign finance law, a small amount of lobbying law, with no conflict of interest law, and no litigation. This person had "a lot" of interaction with the FPPC, and helped clients file campaign reports and major donor reports as a sideline. The other attorney also has many years experience practicing political law, though not quite as many as the other attorney and has emphasized different aspects of political law. This

attorney is a litigator and emphasizes redistricting and conflicts of interest law, but not a lot of ballot drafting or campaign finance violations. Has had “less” contact with the FPPC than did the other attorney.

Problems (and proposed solutions, if any)

1. **The FPPC serves as a quasi-legislature (making policy through its advice), an enforcement agency playing an investigative role, and as a quasi-judiciary.** There have been abuses of power due to this mixture of powers, though this is probably inherent with any agency of its type. It’s a structural problem. The other attorney agreed, saying that the FPPC is judge, jury, and executioner. Also the commissioners are not qualified to act as judges, as they are either non-lawyers or lawyers without the proper background to be judges. The qualities that make them appropriate appointees to a policy-making body are not the qualities that make them able to do impartial judging.

--**Proposed Solution:** Restructure the entire process. If the FPPC is the investigator and the enforcer, it should not also be the judge. The final decisions should be made by Administrative Law Judges (ALJ’s). (Now, ALJ’s can review cases and make recommendations, but the Commission has final say.)

2. **Unwarranted lawmaking by FPPC.** The FPPC staff on occasion has essentially made law through issuing advisory opinions (for example, as to what criterion are used to designate a “primarily formed” committee). Recently under the new Commissioner this practice seems to have stopped.

3. **Inconsistent enforcement.**

A. **Some commissions are “hanging commissions” who want maximum counts and maximum fines.** And to get this the staff may ignore precedent (i.e. previously-decided cases with similar fact patterns) in order to get the fines. Also, the staff claims that they have no leeway when reviewing cases. And the

Commission is either a rubber stamp for the staff or they mete out even harsher penalties. The Commission simply does not look at cases de novo. And defendants are never allowed to present their whole case to the Commission, as they must go through the staff first.

--Proposed Solution: Over the last few years, however, the FPPC has become better at treating like cases alike. This change is due to good personnel changes. The present head of enforcement really does believe in due process. Also, the FPPC has come up with a standardized fine mechanism (such as with major donor violations and as a result of Tony Miller's actions).

B. The Franchise Tax Board sometimes interprets the laws or regulations in ways that are directly contradictory to the interpretations given by the FPPC. When presented with FPPC written opinions, the FTB claims they do not have to follow the FPPC's opinions because they are separate agencies. For example, the FPPC said it was acceptable to not include the addresses of radio stations on campaign finance reports, and the FTB claimed the lack of addresses as a "material finding."

4. Overzealous enforcement. FPPC enforcement is "heavy-handed and one-sided." The agency has a lot of resources, and they try to catch people they are investigating at home in the evenings, or on the weekends, so those people will make incriminating statements off the cuff.

--Proposed Solution: There should be more "due process" in enforcement procedures. The current head of enforcement is trying to do this, so there has been some improvement.

5. Lack of incentives to cooperate. If you don't accept a deal on their terms, they will simply load up charges against you. It's a take-it-or-leave-it approach on their part, and they know that few people have the resources to oppose them. The other attorney agreed, stating that you get little or no practical benefit from cooperating with the FPPC. It makes their lives easier if you cooperate, but the client gets very little in the way of fine reduction. There are always aggravating and mitigating factors in any case. But the mitigating factors don't help you, because the FPPC staff can always come up with aggravating factors to counterbalance them. It's a tit-for-tat they use to neutralize the mitigating factors.

6. Skewed enforcement. People who get hit the hardest are those new to politics, especially local candidates, who are making simple mistakes. The unintended consequence of this is that the price of admission into politics becomes too high. People do not want to become candidates or treasurers because of the potential liability. Thus the regulations have killed grassroots democracy and have essentially professionalized politics so that you have to have lawyers and accountants on your campaign staff.

--**Proposed solutions:** Let first time violators off with just a warning. (Right now, it's like strict liability. If FPPC doesn't fine, the Secretary of State Jones will.) Establish more protections for the "little guys."

7. FPPC is not sensitive to either the reality of running campaigns or the theoretical first amendment issues.

A. Very few people at the FPPC have real-world street experience in filling out campaign forms. They treat the law as mechanical, but the world does not work that way. For example, one regulation would require TV and radio spots to include not only the sponsoring committee, but also its top two contributors. But identifying the top two contributors can be difficult, for they will change as

money flows into the campaign. So whoever we list, we may end up ultimately giving improper disclosure.

--**Proposed solution:** Staff should have to do internships or spend a certain number of years as treasurers or lawyers for campaigns or at the very least take part in a simulation of a campaign.

B. Many of the Commissioners lack sufficient qualifications or a specific knowledge of election law. They are not necessarily dispassionate—you tend to get a reform zealotry attitude. Also, the Commission and staff do not have adequate training in first amendment and separation of powers law, and thus are not sensitive to those issues. They approach the regulations like they were granting professional licenses (like for cosmetology for example) and do not appreciate the chilling effect these laws can have.

--**Proposed solution:** Staff and Commission should be required to take a course on constitutional law. Even judges get training before they take the bench and have continuing education!

8. Regulatory regime overly complex.

A. We've **gotten away from the original intent of the PRA** due to the heaping on of more laws and regulations and advisory opinions, with extreme levels of detail regulating very low levels of operations. There are four ways to get nailed: criminal sanctions, civil violations, administrative fines by the FPPC, and by \$10/day fines levied by filing officers such as city clerks, county registrars and the Secretary of State. The last one has no statute of limitations, so if a candidate catches up on 4 years of disclosure reports, they are penalized with \$10-20,000 in fines. There is no amnesty for bringing oneself current. We now have a patchwork regulatory system that serves unclear interests. And much of the information (e.g. subvendors of subvendors) only benefits opposition research.

--**Proposed solution:** You shouldn't have to make everything public—some information the FPPC could just keep for itself should it ever require an audit. Also, get back to the basics, to the original goals of the PRA, with clear disclosure requirements, and less minutia.

B. **Too much filing**—not even the experts can understand it. The present reporting system is too fragmented; different amounts of reporting at different intervals, with filing dates all over the place. This is especially hard for general-purpose committees which give to different campaigns at different times.

--**Proposed solution:** Consolidate filing dates. Just have monthly (or quarterly) filings and one pre-election report. It would be more consistent and require less paperwork; it would be less volume of reporting each time and easier to keep up with.

9. **Lack of indexing is absurd.** It requires people to collect huge amounts of information for contributions of very little amount.

10. **Facilitate information and education.**

A. **Website inadequate.** The Secretary of State's site is good, but the FPPC's gets a grade of a "B-". The FPPC site is not current; for example, it had nothing on electronic filing for lobbyist employer committees, which is required to start soon!

--**Proposed suggestion.** Need to spend money and invest expertise in the website. Continue to put emphasis on public education.

B. **Manual outdated**, we are tired of using the 1996 manual with all the various addenda.

--**Proposed suggestion.** Write new manual.

C. **City clerks are generally well meaning and cooperative but ignorant about the law** (e.g. rules regarding time of postmarks—they get very upset about late reports even with correct postmarks).

--**Proposed solution.** Write a basic, five to ten page manual for city clerks and county registrars.

D. **Electronic Filing:** This is a very bad implementation of a good idea. How did private vendors get involved? Other states provide access/software and so should California. Electronic filing is inevitable and everyone has computers; it will get easier eventually and it will have benefits, like doing away with worrying about postmark requirements!

General Observations

1. On the use of negative publicity to deter wrongdoing:

--Whether fines or publicity matters more depends on the client. In the past the FPPC has been very heavy-handed in their publicity and press releases. They are better now.

--One attorney thought that disclosure could be very effective in theory. When the public learns that tobacco gives money to an initiative, it loses.

--Big campaigns can simply internalize FPPC fines, so they may be deterred more by an active press and good disclosure. The national press does have a high level of sophistication when it comes to campaign finance violations, but this is not necessarily true with the California press. The problem is that although you can increase public attention to the matter, contributors can always come up with new ways to funnel money.

--TV matters, newspapers don't because people don't read newspapers. If you have enough money to do a good mass mailing, people may pay attention to that.

--Who gives matters (eg tobacco), but violating the law per se does not matter to voters. Why? Because the very complexity of the laws gives campaigns an excuse to break them.

2. On declination policy:

--One important factor in declination is the knowledge that the defendant has the resources and the legal counsel to fight. The FPPC seems to not pursue the cases where the target had lots of resources. If you have a large client with lots of resources, it's a good strategy to simply wear the FPPC down, because the FPPC is weak in the area of budget. The staff finds it easier to go after local people because they can never pose a political threat to the FPPC.

3. On the technical assistance division:

--The technical assistance division generally is very helpful, and they give good, mostly consistent information. They are not lawyers, so they don't have a legal understanding.

--Proposed Suggestion: It would be nice to have a lawyer or two to oversee the staff who provide assistance.

--They claim that the technical assistance division really is separate from the enforcement division, but they now ask for identification of the client and they take notes, so it seems suspicious.

--Proposed Suggestion: It would be good to get reassurance that they are not sharing these conversations with enforcers who may use it against client later.

4. **On particular requirements:**

--The requirement requiring that any amount over \$100 must be in a personal check and not a cashier's check violates first amendment rights- this was recent legislation proposed by the FPPC

--Prop. 208 rule on bundling (delivery of checks) is stupid. It effectively double-counts money when a check is given from one person to another, and makes you break local rules on contribution limits.

Major Findings of Focus Groups [see also Appendix II-C]

A. The Filers' Perspectives

- Many of the filers felt that the forms were overly complex and confusing and that the FPPC advice was not always helpful.
- As the FPPC's own survey indicated and the Lowenstein experiment reveals, filling out the forms can be a source of confusion, particularly for the first-timer.
- Another major source of complexity is the overlay of state and local laws. Since the laws vary at each level and across jurisdictions, it is not always easy to get the rules that pertain to a particular race correct. Some of the confusion that filers face is caused by the multiple layers of regulations placed by different jurisdictions.
- A common problem that many filers face is that donors do not complete all the information needed for the disclosure forms. A particularly hard piece of information to get is the contributor's occupation. The dilemma then is whether to take the money and risk the violation or forego the money and risk not having enough money to win the election.
- Some of the more conscientious filers worried about the possibility of making mistakes and having to pay fines for their errors. This was less of a concern for the veteran and paid treasurers, who worry more about the audits per se.
- A number of comments suggested that enforcement was uneven and that they personally knew of campaigns and individuals who were getting away with little or no compliance. Whether this was really true or not is of course impossible to tell, but the perception that they were obeying the rules and others were not seems to be fairly common.
- Another shared perception was that if those who designed the forms and enforced the laws had to fill them out, there would be more sympathy for the burden it puts on campaigns.
- The private attorney general provision introduces another source of potential threat.
- The Internet holds much promise but several of the treasurers who are filing over the Internet under the current law have complaints about the expense and inconvenience.
- For campaigns that hire professionals, the cost of filing is significant.

- An unusual problem that was brought up was the prospect that someone might only raise money to pay the filing fees for an office, but that amount of the filing fee then requires filing a disclosure form. This seemed to all to be unfair.

B. The Journalists' Perspectives

- One problem is that information about lobbying does not distinguish between how much lobbying effort goes into a particular bill for a client versus the entire set of legislation for which the client has retained services.
- It is difficult to trace the sources of funding and leadership for committees and bundled contributions. The problem is particularly acute in the case of independent expenditure committees and initiative races.
- There are problems concerning aggregation of contribution. Many of the stories that journalists write look at the total amount of money that given individuals or interest groups put into political campaigns. This is difficult when the names of contributors vary in small ways or when there are other small discrepancies in how the forms are filled out. This led them to push for standardized industry and occupation codes and for a better system of contributor identification.
- Another major problem is incomplete and inconsistent information. (This discussion echoes some of the issues raised by the candidates and treasurers themselves.)
- Data analysis could be assisted in various ways discussed in the excerpts above.
- The utility of Conflict of Interest filings was questioned, and journalists on the whole did not find the FPPC investigations to be useful material.
- Timeliness is a crucial element for reporters.

Appendix II-A: Sampling and Recruitment of Local Treasurers

Identifying a Sample List

The list was compiled from those campaigns that filed disclosure forms with the Alameda County Registrar of Voters in 1998. This universe was chosen because it was the last period in which a large variety of offices were up for election and all filers had completed a full election cycle. Sampling was done of candidates (filers of form 490), committees (form 420), and ballot measure committees (form 419). For each filer, the name of the treasurer and the summary page from the last period in the election was copied. This identified the treasurer and their phone number, as well as the scope of finances they handled. Every ballot campaign was sampled, and every fifth committee was sampled (as filed in binders). Because the elected offices were so varied, including school district boards in every city, regional boards and countywide offices, a sample was taken from every type of county office. In most cases, all campaigns where some money was raised and spent were recorded. The final list included approximately 75 individual campaigns or committees.

From this list a smaller list was selected for invitation based on a few criteria. The range of money raised in each type of office or committee was reviewed, and those who represented the mode (most common) amount of funds were targeted for recruitment. One on the low end and the high end of finances in each category was also selected. Campaigns and committees which completed their disclosure forms by hand were also placed on the top of the list. A group of 10 was selected for the initial calls, with alternates chosen for each. However, we soon reached farther into the sample list, leaving out only those who lived outside the county.

Recruitment of Respondents

The research assistant called about 50 individuals from the sample list, and of those 19 candidates gave a positive response to either coming to the focus group or being willing in setting up a phone interview. Out of the 19 candidates, 7 candidates actually came to the two focus groups. One of these seven was part of the original 50, but it was only through the suggestion of a participant of the first focus group that this individual came to the second focus group. Five of the 19 were contacted for the phone interviews. The other 31 candidates either were not able to be reached or gave a negative response. The majority of the 31 non-participating candidates could not be reached, while only a few stated that they did not want to be part of the study. Of the candidates who were reached, most of them were reluctant to come out to the focus group meeting due to time restraints and because of the physical burden of driving all the way to UC Berkeley. However, the vast majority of those who responded were more than happy to set-up

possible phone interviews instead. There were only a couple of candidates who were really passionate about coming to the focus group meeting and voicing their opinions about the disclosure forms.

Final Sample

The final group of 7 individuals who attended the two focus groups (a group of four and a group of three) was a mixed set of treasurers, all of whom had concerns about the disclosure process. Two were professional paid treasurers who worked for a variety of campaigns and committees. The campaign in 1998, where their name was identified, was only one of many for which they had served as treasurer, and was in no way representative of what they did. Two others were volunteer treasurers for a few different campaigns over the years, one for county office holders, the other for grass roots initiatives and committees. The three others were candidates themselves, and served as their own treasurer. Two were elected officials over several years. The range of funds that all seven treasurers had handled in their capacity as treasurer varied greatly, from a few hundred dollars to several hundred thousand dollars. This group provided a valuable range of experience and perspectives on the disclosure process. The five individuals who were interviewed by telephone were those most interested in providing comments but who could not attend the focus group. Two were elected officials, who also handled their own campaign finances and had comments on disclosure in their local area. Two were volunteer treasurers who had lent their services to friends running for office, and had learned about the forms for that purpose. Finally one was a treasurer for a local political action committee. These five added valuable information about their individual views of the process to the core set of comments and suggestions generated in the two focus groups.

Appendix II-B: Sampling and Recruitment of Journalists

Identifying Respondents

Journalists who might be interested in participating in the focus groups were identified from four sources. First, those journalists who had contacted IGS on previous occasions while writing stories on campaign finance were listed. Second, a search was done on Lexus/Nexus Academic Universe and News Bank Info Web for articles on campaign finance in the major daily newspapers in California in the last ten years. The journalists whose names appeared more than once were recorded. Third, the Sacramento Press Corps list maintained by the IGS Press office was utilized. Fourth, a list of Sacramento journalists who write on campaign finance was compiled by a Commissioner. From these lists, calls were made directly to the journalists named. Each was invited and asked for referrals to other reporters who might be interested. Many calls were made based on these referrals. Chain referral sampling proved to be a productive aspect of the recruiting process. The final set of respondents came mostly from referrals, and less from those whose articles were identified in the newspaper search. We learned that few reporters specialized in campaign finance, so the newspaper search was less useful to identify those who actually were interested in commenting on the Political Reform Act.

Response to Invitations

Approximately thirty individual reporters were telephoned and invited. The initial response by the first few journalists called was that they needed something written to decide if they should participate. A one-page invitation was faxed to those invited, and then follow-up calls were made. Some reporters agreed to participate right away, and seemed to have the time available. One was concerned that it only be 90 minutes, and not 2 hrs. There were several negative responses, for several reasons, including that they did not feel knowledgeable enough to participate, that their superiors would not allow them to participate in (i.e. if it's like testifying and making policy recommendations) something about which they write, or that it was inappropriate because they were actually writing (critically) about the Bipartisan Commission itself. Others were concerned about time, either with covering the upcoming election, or because other reporters were out and they needed to be on call. Many could not respond at that moment because they were on deadline. The final set of respondents who did attend were those most interested in the topic, rather than representative of the major newspapers or regions of the state.

Final Sample

Of the thirty calls, eleven reporters were able to attend one of the two focus groups. Eight others who could not attend were willing to conduct telephone interviews at a later date. The Sacramento focus group was conducted with 6 journalists, most of whom were identified through the recommendations of other journalists. They were a core group of political reporters who knew each other and regularly investigated and wrote about the campaign finance system, although their perspectives on the system were varied. The researchers felt confident that this was a group of journalists experienced enough to provide valuable comments on the Political Reform Act and its administration. The focus group conducted in Berkeley had 5 reporters participating along with two academic users of campaign finance data. In contrast to the Sacramento group, these reporters had more experience with reporting on local level campaign finance. They were equally able to provide insightful comments on the administration of the Political Reform Act. Additional comments on the usefulness of data for research were generated by the interaction of the academic users with the investigative journalists.

Appendix II-C: Journalists' Recommendations for Improving the Campaign Finance Disclosure Process

Timeliness

- Data should be collected more frequently, especially in non-election years when reports can be six months apart; consistent reporting frequency between election and non-election years.
- Timeliness of publication of data is essential; on-line reports allow daily monitoring.
- More on-line filing: more filers, more complete files, add economic interest statements.
- Enforcement of timely report filing during campaign when it counts, instead of long after candidate won; fine for late filing is inconsequential.
- Instant internet reporting by everyone, including independent expenditures—24 hours to key in contribution on the internet after it is received; possibly contributions made on the internet would make processing and posting faster.
- County and city filing schedules should be the same.
- Change requirement that post-mark by deadline is compliance, as this allows delay.

Data Structure and Completeness

- Need a better format for contribution data so can slice and dice on any variable; make each contribution a separate event; unique firm identifier, unique address identifier, unique person identifier; Secretary of State should code data to make it easier to use, as coding takes the most time; provide database for users to analyze.
- A unique identifier for each contributor would help match contributors across filers, because now a slight difference in name produces a different contributor code; social security number or driver's license number would work as a unique contributor code; possibly have a contributor identification number system maintained by the Secretary of State to simplify reporting (contributor just reports using his/her number) and also use of data, but would require contributors reporting any change in employer or address.

- Address is also essential; zip codes would be helpful to do neighborhood analysis, but city/town is also helpful, especially if people are out of state; address information should be more complete; work address should be available if home address is not because of privacy (as on internet now).
- Information on employment of contributors could be more complete, and standard identifier for each occupation would help; the SIC (standard industry code) would be a useful firm identifier; unique firm identifier would be helpful, and is already used with PACs; industry code is needed as well as occupation code; a business should have a unique address because many names and businesses are at the same address.
- Better organization of lists so that they can identify faster who gave what when (instead of going through period by period and finding lots of zeroes).
- Ability to download data from Secretary of State website in Excel, instead of just PDF files and relying on the search engine of the website.
- If data on internet is not complete because of privacy, make full data available on diskette for users.
- Centralized and combined database for whole state including state and local data, especially to see where independent expenditures are going.
- Expenditure data in computerized form, so that we could analyze money spent on television or consultants over the whole state.
- For initiatives, Secretary of State could organize data so we can see whose money is supporting and whose money is opposing an initiative; binders with this information should be transformed into internet accessible databases.

Data Requests

- Get times and dates on expenditures (schedule E) to help determine where money is spent.
- Data on intermediaries, so we can better decipher soft money and bundling.
- Need way to find out who is actually behind a committee, as the treasurer information does not help.
- Raise limits on statement of economic interest so that only the largest economic interests are listed.

- If contributor is a sole practitioner (lawyer or other) on the side, would help to have a list of clients

Miscellaneous

- Filers should have computer programs which only require entering contributions, so that program adds them up; software should not be proprietary.
- Centralize the system (one agency rather than three)?
- Size and swiftness of penalties should bear more relationship to violations, so violations have more consequences for filers.
- The whole system, from regulations to statutes, needs to be simplified and streamlined; less emphasis on technical and minor violations and more clear and consistent definition of violations within regulations and statutes.

Part III-Campaign Finance Forms Experiment

Background

As part of the study commissioned by the Bipartisan Commission on the Political Reform Act, the Institute of Governmental Studies was asked to design and conduct an experiment that would attempt to determine the difficulty campaign treasurers face when they seek to complete campaign forms. In March of 2000, the University of California, Berkeley's Commission for the Protection of Human Subjects gave their permission for this experiment to begin. This memo summarizes the results of the experiment.

For this study, participants were provided with a Form 460 with instructions, sample data about a campaign, and a short questionnaire about their experience, if any, working with political campaigns. Using this information, participants were asked to complete the Form 460 to the best of their ability. This study is only provides a limited parallel to the experience of real campaign treasurers; participants did not attend any workshops to help them complete the forms, and none of them considered calling the Fair Political Practices Commission for guidance, nor were they encouraged to do so. For participants who had no campaign experience, their lack of background and assistance from the state is similar to that of a first-time campaigner running a small local campaign without party assistance.

At the suggestion of a Commission member, this experimental research design is non-traditional. Rather than varying the campaign data that participants in the study used to complete the forms (which would have made some campaigns harder than others), the Institute of Governmental Studies (IGS) recruited participants with backgrounds in campaigns, and those with no campaign experience, and compared the performance of the two groups using the same campaign data.

Data for the sample campaign was based around a race for a nonexistent local office. Participants were provided with a list of contributions, some sent by mail, and others generated from a house party fundraiser. In addition, the candidate was offered a personal loan for campaigning, and received a non-monetary contribution in the form of opposition research. Finally, to complete the expenditures forms, participants were provided with a completed check register containing memos for each purchase. Forms were completed by hand.

Results

As expected, participants who had worked in previous campaigns were more likely to fill out the forms correctly. On every schedule (contributions, loans, nonmonetary contributions, and expenditures) and in almost every data field, participants with experience were more likely to provide accurate information. These differences were especially dramatic on the summary page, the contributions schedule, and the nonmonetary contributions schedule.

Beginning with the Summary Page, almost all participants attempted to identify the reporting period, but only participants with experience in campaigns did so correctly. In addition, participants with experience were much more likely to supply the election date required on the summary page. While most respondents identified the type of committee (a officeholder or candidate committee) appropriately, a number of inexperienced respondents failed to complete the form by providing an address for a candidate, identifying a treasurer, or signing the verification form. The most common errors, however, were on the page where participants attempted to summarize contributions and expenditures. Participants with campaign experience were more likely to complete these fields accurately, but only managed to fill out one field accurately in every case.

A number of respondents noted in their comments that the Summary Page double-counts nonmonetary contributions, which was confusing. In addition, making correct

calculations on the summary page resulted in the summary page data failing to match the accounts kept by the campaign. A complete review of the accuracy of responses for the Summary Page is provided in Table 1. The data for all respondents is given first, followed by the results for respondents with campaign experience, and then the results for respondents who lack campaign experience.

Table 1: Percentage of correct responses for summary data

Form 460: Summary Page	All Respondents	Campaign Experience	No Experience
Reporting period written down	80%	100%	67%
Reporting period correct	30%	75%	0%
Date of election supplied	60%	75%	50%
Type of committee identified correctly	90%	100%	83%
Type of statement identified correctly	80%	75%	83%
Committee information given	80%	100%	67%
Treasurer information given	90%	100%	83%
Officeholder/candidate address included	100%	100%	100%
Verification signed	90%	100%	83%
Contributions totaled accurately	60%	75%	50%
Expenditures totaled accurately	50%	50%	50%
First nonmonetary adjustment made	70%	100%	50%
Second nonmonetary adjustment made	30%	75%	0%
Ending cash balance correct	60%	75%	50%

Data drawn from an experimental study run at the Institute of Governmental Studies in March 2000.

When asked which forms were hardest to complete, participants without campaign experience usually chose the Summary Page as the hardest form. In contrast, those with experience felt that Schedule B (loans) or Schedule A (contributions) was the hardest.

Schedule A, which lists contributions to candidates, was the form that inexperienced participants felt was easiest. However, it was also the form where the inexperienced participants made the most errors.

All the respondents were successful in writing down the amount that each contributor gave. However, very few respondents identified, included, and summarized two contributions of less than \$100 from the same person, which totaled over \$100 for

the reporting period. Inexperienced participants only included these contributions when they incorrectly listed all contributions, including those contributions of less than \$100, on Schedule A. Only respondents with campaign experience consistently provided cumulative totals for contributions. In addition, the experienced were more likely to correctly identify the contributor code of each giver. Only experienced respondents provided identification codes for political action committees, though inexperienced respondents were slightly more likely to indicate the occupation of the contributor, or note that that information was not available.

Most of the inexperienced respondents totaled contributions incorrectly on the summary, failed to make the distinction between listed and unitemized contributions, and totaled all contributions inaccurately. In contrast, all of the experienced respondents did total all contributions correctly.

The responses for Schedule A are summarized in Table 2. The data for all respondents is listed first, followed by the results for participants with campaign experience, and then results for participants who lacked such experience.

Table 2: Percentage of correct responses for contributions data

Form 460: Schedule A	All Respondents	Campaign Experience	No Experience
Two-part contribution summarized	40%	50%	33%
Candidate contributions listed	100%	100%	100%
Cumulative totals for contributors given	70%	100%	50%
Contributor code correct (of 12)	10.3	10.8	10.0
PAC ID number included on form	20%	50%	0%
Occupations given/Info not available (of 7)	5.9	5.8	6.0
Amount received from contributors correct	30%	50%	17%
Unitemized contributions noted	30%	50%	17%
Total contributions correct	70%	100%	50%
Contributions of less than \$100 left out	70%	75%	67%

Data drawn from an experimental study run at the Institute of Governmental Studies in March 2000.

Unlike the Summary Page, where one experienced respondent completed all entries correctly, all respondents made at least one error in Schedule A. Nevertheless,

inexperienced respondents felt that Schedule A was the easiest portion of Form 460 to complete.

In contrast, experienced respondents had the most difficulty with Schedule B, which contains loans data. This schedule is also one of the only one where inexperienced respondents did not appear to be disadvantaged in their ability to complete the data entry correctly.

Schedule B contained a very simple personal loan made to the candidate for the campaign. The complaints about the form came only from two respondents who had prior experience in bookkeeping or accounting, who stated that the form was "bizarre" and felt that the instructions were convoluted without being instructive. Because this form was fairly simple (respondents only had to identify the lender, the amount, and the interest rate), most respondents completed it correctly. Results for Schedule B are summarized in Table 3. The accuracy for all respondents in each category appears first, followed by that of experienced respondents, and then by that of inexperienced respondents.

Table 3: Percentage of correct responses for loans data

Form 460: Schedule B	All Respondents	Campaign Experience	No Experience
Lender noted	90%	100%	83%
Lender identified as lender, not guarantor	90%	75%	100%
Amount of loan correct	100%	100%	100%
Contributor code accurate	90%	75%	100%
Interest rate given	100%	100%	100%
Total amount of loan correct	100%	100%	100%
Net loans accurate	90%	100%	83%
Annual report NOT completed	60%	75%	50%

Data drawn from an experimental study run at the Institute of Governmental Studies in March 2000.

A majority of respondents completed Schedule B accurately in full.

While not many respondents commented on Schedule B, reviews of Schedule C, which details nonmonetary contributions, were much more varied. Some respondents felt it was the hardest form to complete, while others felt it was the easiest. In a follow-up discussion, most respondents felt that the issue of nonmonetary contributions was initially

quite confusing, though the instructions resolved the question that arose with the sample data. In the case presented to participants, a lawyer had done opposition research for the candidate for free. All of the respondents with previous experience completed this form correctly in almost all fields. The only exception was the failure to provide the occupation and employer of the contributors (or to write "information not available"), also an omission made several times in Schedule A. Respondents who had no experience with campaigns were much less successful, though a majority of them did complete the schedule accurately in full. Table 4 summarizes responses made on Schedule C.

Table 4: Percentage of correct responses for nonmonetary contributions data

Form 460: Schedule C	All Respondents	Campaign Experience	No Experience
Nonmonetary contributor identified	89%	100%	83%
Contributor code correct	78%	100%	67%
Occupation/employer supplied	67%	67%	67%
Description of goods offered	89%	100%	83%
Fair market value stated	78%	100%	67%
Cumulative fair market value given	67%	100%	50%
Summary/total completed	78%	100%	67%

Data drawn from an experimental study run at the Institute of Governmental Studies in March 2000.

In contrast to inexperienced participants, most of the experienced respondents felt that the expenditures data (Schedule E) was the easiest to complete. Similarly to Schedule A, however, the perception that it was easier to complete did not lead to more accurate responses. No single respondent managed to finish Schedule E without making at least three errors. Inexperienced respondents were more likely to list payees correctly, although that was due in part to incorrectly including expenditures of less than \$100 (similar to the error many inexperienced respondents made in Schedule A). Experienced respondents were more likely to code the expenditures correctly, and to include unitemized expenditures in the summary statement at the bottom of the form. In many cases, respondents failed to total expenditures correctly.

Responses for Schedule E are summarized in Table 5.

Table 5: Percentage of correct responses for expenditures data

Form 460: Schedule E	All Respondents	Campaign Experience	No Experience
Payees listed (of 6)	4.9	3.3	5.7
Payees coded correctly (of 6)	4.6	4.7	4.5
Unitemized expenditures not listed	78%	100%	67%
Payments totaled correctly	67%	67%	67%
Unitemized expenditures included in summary	89%	100%	83%
Total accurate	56%	67%	50%

Data drawn from an experimental study run at the Institute of Governmental Studies in March 2000.

Overall, results suggest that participants with campaign experience find the forms much easier to complete, and that participants with experience are more likely to complete the forms accurately. Interestingly, the forms that respondents felt were the easiest (Schedule A for the inexperienced, and Schedule E for the inexperienced) were the two that contained the greatest number of errors. Part of that may be due to the sheer number of expenditures and contributions, compared to a single loan and a single nonmonetary contribution. However, the errors appear to be ones of classification: what kind of contributor wrote the check, what was the giver's occupation, was that spending on literature or on office supplies? Those two schedules, in this study, were harder than they appeared.

Comments

Respondents were asked to provide any comments or suggestions that would make the forms easier to complete. Some of their responses are listed below.

- Supply an 800 number, listed prominently on the form, to call with questions
- The forms should allow campaigns to attach a printout of expenditures, instead of requiring treasurers to place the information in the forms
- "Explicit instructions should be at the beginning of the forms, not the end."
- Make the rule about only listing contributions and expenditures greater than \$100 in the forms more clear.
- It was difficult to provide contributor information like occupation and employer.

- Overall directions are unclear (How should pages be numbered? Who is responsible for filing?)
- Schedule B is extremely difficult to understand.
- Provide a frequently asked questions list, with answers to questions like, "What should I do when I make a mistake?" and "If unsure, do this."
- "The forms are verbose, but not bad as these things go."
- These were much worse than tax forms; the writers should use the IRS as an example of how to write forms and instructions. Tax forms are at least comprehensible.
- Instructions were reasonably helpful "after the initial shock and fear."

While feelings about the forms themselves varied by respondent, a number of respondents felt that reorganizing the order of the forms (putting instructions first) and highlighting issues that were unclear (the \$100 rule) would have made their experience much easier.

Major Findings

The overall results suggest that previous experience in campaigns is the deciding factor in whether these forms are considered easy to complete, or difficult. In addition, experienced respondents are much more likely to give accurate responses.

Moreover, previous experience in campaigns also meant that respondents could spend less time completing the forms. While those with a campaign background could complete the forms in as little as 45 minutes, people without campaign experience could spend much longer (up to 3 hours), unless they gave up in frustration part of the way through. Those who did complete the forms felt that the instructions had allowed them to do so reasonably accurately. However, in later discussion, all of the respondents felt uncomfortable and uncertain about some of their responses.

More interesting was the finding that the schedules that are considered easiest to complete (Schedule A, monetary contributions, and Schedule E, expenditures) contain the most errors. While the inexperienced and experienced respondents perceived the easiest schedule to be different, none of the respondents managed to complete either schedule accurately. As a result, none of the forms that were completed, in full, fails to contain errors. Even participants with backgrounds in campaigns, using a fairly simple set of mock campaign data, could not generate a Form 460 without making multiple mistakes.

Part IV—FPPC External Survey Report

Major Findings

This is a very brief summary of the major findings of the FPPC External Survey. It is recommended that the reader view the summaries for each particular question in order to obtain a more detailed explanation of the survey results.

There were a total of 327 respondents who replied to the FPPC external survey questionnaire. The majority of the respondents gave the FPPC's services an above average ranking (on a scale of 1 to 5, 71.3 percent of the respondents gave a score of either a 4 or a 5). The general positive comments were that the FPPC staff was courteous and accommodating, as well as knowledgeable and competent. Their advice and the information given by the FPPC were considered to be both accurate and helpful. In addition, the responsiveness and availability of FPPC personnel were commended by almost half of the respondents. There were a significant number of positive comments regarding the value and effectiveness of the training sessions and workshops provided. Bulletins and updates were considered both timely and accessible through a various number of means such as the Internet, mailing lists, newsletters, and faxes. In lesser numbers, there was a belief that the forms, such as the new 700's, have improved by becoming simpler and easier to understand.

On the other hand, there were a number of complaints and suggestions for improvements that the respondents believed would help the FPPC serve campaign filers better. The lack of availability of telephone services and the slow response time were the major complaints of the respondents. Their suggestions for improved telephone assistance included hiring more personnel, expanded hours, a toll-free phone number, and friendlier service. Their biggest complaint of FPPC's telephone service was the automated answering system, in which respondent would rather speak to a "live" representative directly instead of dealing with a machine. Respondents also complained about the lack of consistency of the advice and the relevancy of the policies given by the

FPPC staff. There were also suggestions for improved information distribution such as more timely and efficient publications, bulletins, and updates. They recommended making easier the accessibility of information and archives via the Internet. Because respondents believed that training sessions were helpful and valuable, they suggested more frequent and more local seminars and workshops. Even though there have been vast improvements on the forms, respondents still believe that there could be a lot done to improve the efficiency and the simplicity of the forms. They believe that features such as electronic filing or by simply shortening the forms could drastically improve filing.

In regards to the future trends and the expected changes, respondents believed that there would be a significant increase in workload, which would also increase the need for the FPPC to be more efficient and more accommodating. One suggested possibility that would help FPPC to meet the increased workload is electronic filing via the web. They also see the increasing need for the reformation of laws and the simplification of regulations so to offset the number of calls and increased confusion. They believe that their respective cities will be making budget cut-backs which will significantly reduce staff and resources; respondents expect the FPPC to make adjustments for budget cutbacks and understaffed city personnel.

FPPC External Survey Questions: Question 1

On a scale of 1-5, how well are we serving you? (Do we get when you need in a timely, courteous, competent manner?) 1=very low, 5=excellent.

Rank	<i>Number</i>	<i>Percent (%)</i>
No ranking (non-response)	19	5.8
1	9	2.8
2	15	4.5
3	42	12.8
3-4	9	2.8
4	104	31.8
4-5	29	8.9
5	100	30.6
<i>TOTAL</i>	<i>327</i>	<i>100</i>

FPPC External Survey Questions: Question 2

On a scale of 1-5, how well are we serving you? (Do we get when you need in a timely, courteous, competent manner?) 1=very low, 5=excellent.

How could we be a 5? How could we serve you better?

TYPES OF SUGGESTIONS AND REQUESTS:

There is a need for:

- (1) *Better telephone services and response time; this includes more personnel, expanded available hours, 800 numbers, friendlier service, etc..* **(124 counts)**
- (2) *Easier-to-understand and more efficient and timely publications, regulations, newsletters, updates and bulletins.* **(34 counts)**
- (3) *Closer and more frequent seminars and training sessions.* **(20 counts)**
- (4) *More consistent and relevant advice and policies.* **(17 counts)**
- (5) *Simpler yet more efficient forms and form accessibility and distribution.* **(17 counts)**
- (6) *More accessible archives and information, possible via the Internet.* **(13 counts)**

RESPONDED: 237

NON-RESPONSE: 90

**(S) signifies that the response was summarized for conciseness.*

**A single response can contain more than one type of answer and suggestion.*

- My clients and I feel that the law is an artificial trap set up to eat the unwary, without much practical application. Directors and trustees of numerous districts, water districts, small cities, sanitary sewer districts, etc. of whom I represent complain bitterly every year. The law and regulations are insanely complicated; why, for example, have both a standardized law for certain officials, and local disclosure codes for others? The law, by its definitions and procedures, presupposes that every official, consultant, employee is a corrupt person, and it is assumed that every one of them is just looking for a way to line their pockets.
- Worst of all, I believe, is the horrible complexity of the law and regulations – why, for example, is

governmental salary not “income”, whereas the exact same amount paid to the same person for the same duties, but as an independent contractor, to be coveted? Why a different threshold for reporting, and for disqualification? (S) (2)

- My only association with your agency has been filing reports and using your materials for official’s annual workshops.
- Answer the phones more instead of putting the machine on. More timely call backs. More regular updates on brochures. (1) (2)
- I always look forward to Linda Cassidy’s lectures at the League of California Cities Conferences. I think the Commission staff does an excellent job.
- Improve access to legal staff during business hours. Reduce call transfers and referrals to other agencies. (1)
- Faster written assistance (a “ten day response”, when promised, should not take 2-3 months). If this isn’t possible, immunity should be granted to questioners if they follow recorded phone advice (such as a voice mail message). (1)
- Some of your publications seem a little confusing. Since it is formatted and written in very formal styles, it is difficult to determine if they contain information a City Clerk needs. Maybe a simple cover sheet on “Regulations” that explains what it contains and to whom it may pertain to would be helpful. Because of its formality, many things are over-looked or not read. (S) (2)
- Like many lawyers who work with local public agencies I have relatively little contact with the Commission. When I do, I usually have difficulty finding the applicable regulations, interpretations, etc.. At the county law library, I find that updates come out annually. My suggestion is to concentrate on publishing and distributing the regulations and interpretations more frequently and in a form more readily searchable. (S) (2) (6)
- Involve the city clerks in formation of information early on when you anticipate changes. Get the forms to us early, keeping in mind the election calendar. (5)
- There is zero communication now.
- Keep small cities in mind when adopting regulations. Too often the regs. Unjustly harm small cities at great expense. What’s good medicine for the big cities may be an overdose for the small cities.
- First, recognize that you need to provide timely, quality service to your “customers” – and then take it to heart that cities are your customers. Be responsive. Be timely. Be understandable. (1)
- Respond to questions that are asked. (1)
- Because you have indicated you are the only agency that can legally interpret the PRA we need more timely advice. A record of advice given by telephone and some comfort that we can rely upon telephone advice as most often it is all we can get in time to evaluate a disqualification. (1)
- Focus on big problems – Don’t sweat the small stuff. Stay away from non-office holders.
- Returning calls. Stop putting and transfer every call. Each person should give the same information. Each time I talk with someone, the answer is different. (1)
- Eliminate most of your forms. Allow filers to file “no change” and be done with them. (5)

- CYA responses. No clear answers – opinions always hedge or, worse, throw it back. If you need additional info to form an opinion, request it – don’t hide behind lack of info to avoid a conclusion. (1) (4)
- Speed up responsiveness. Emphasize support over punishment. (1)
- We know you’re busy but we would like a quicker response to inquiries as well as more training. (1)
- Members of the legislature should have a way to receive an opinion in a timely manner. (1)
- My contact with your agency is of two basic types. Your agency is very good in routine mail-outs and answering routine questions, however, when allegations are made that local legislators have violated regulations or statutes and I have a point of view which I wish to share with enforcement staff, it is extremely difficult to make contact and once contact is made, it is difficult to get telephone calls returned or any acknowledgement that the point of view is being heard. (1)
- 1. Answer phones
2. Provide quick responses
3. Better information on Fax-on-Demand system. (1)
- I never get a “live” person, usually voicemail. My call is returned usually a couple of days later. Then we play phone-tag. Have an FPPC rep available, when requested, to speak to candidates and treasurers about filing obligations. (1)
- need to speed up the process. (1)
- Cutbacks on phone availability a problem since issues seem to arise most when help is unavailable. You sometimes give phone advice to elected officials without having all of the facts (they are opinion shopping) or different members of your staff give conflicting answers. (1) (4)
- I rarely have personal contact so my comments are based on mail contact. (1)
 1. More flexibility on the offering of workshops for From 700’s – if we have a conflict on the specified date, it is another year before we can attend a workshop. We are a small office, with no depth to staffing. (3)
 2. I have seen an improvement in the yearly mailout of forms – I felt this year’s was the best yet.
 3. Keep us updated on changes in a timely manner in layman’s language. (2)
- Timely respond to requests, e.g., when we need answer by certain date (with plenty of lead time), we invariably receive your equivocal response late. (1)
- Try to get opinions out within the 21 day period. Answer questions over the phone. Fax opinions. (1)
- Restore the monthly newsletter w/ summary of actions and advice or warning letters. Include a few specific details (community issue or allegations) in agenda listings. (2)
- Offer more technical training sessions to clerks that are geographically available. (3)
- Additional staff to respond to inquiries upon contact. More user-friendly manuals/forms. (1) (5)
- 1. Return phone calls. 2. Return phone calls in a timely manner. (1)
- More efficient telephone service to city council. Have Attorney General’s office provide update to “Conflict of Interests” published in 1989. (1)
- For FAQs, prepare 1 page answers, that are written in laymen’s terms, that will serve as advice positions we can count on, unlike the phone answers we get. Have records of fines and violations of

campaigns and individuals better organized. I want to be able to go look up how often and how much, say David Roverti was in trouble or made errors. The archives are a lousy way to do it. (2) (6)

- Quicker response, i.e. 48 hour turn-around for advice letters. (1)
- Have more staff available to answer questions in a timely manner. (same day) (1)
- Provide consistent advice; update and better index for FPPC opinions. (2) (4)
- Revise the rules so that they are more understandable; e.g. establish across the Board distance requirements. (2) (4)
- Create by regulation more protection for persons who rely on FPPC advice. Fixed turn-around times on advice requests. Wider availability of regulations – unless someone is a CEB subscriber, regulations appear to be available only on microfiche at the law library. (1) (2)
- Better written materials “Guides” and more responsiveness. (1) (2)
- There are times when we as City Clerks may need an answer immediately. It has been, on occasion, we have to wait one to two days before we even get someone to return our calls. We need better response time. (1)
- Increase telephone response. 90% of the time, when the call is returned from FPPC and I miss the call by a few minutes, When I return the call, the process starts all over again. There have been times, when once FPPC returns the call, the return call is not acknowledged. (1)
- In order to be a 5, your staff needs to be more available to the isolated cities in the state, by providing additional funding to allow for your staff to travel to those outlining areas, to conduct seminars. Staff needs to be well versed on the changes. So many times you leave a seminar more confused then when you came. In El Centro it requires 2 hours one way to attend a seminar in the Sand Diego Area. You waste a whole day in traveling for a two-hour seminar. (3)
- Add more staff in technical assistance. It takes too long to get an answer. Have a dedicated line or lines for filing offices. We are helping you – help us. Filing officers should receive some type of priority in responding to calls. (1)
- Please eliminate the current voice mail system. It is quite annoying! Many times we have really simple questions and are forced to leave a message on voice mail, not to get a call back until the following day. Train receptionists to handle routine inquiries. Give customers the option of leaving voice mail or speaking directly with a technician. (1)
- Better availability of people to answer questions via telephone. Hold training sessions in a greater number of cities – there are rarely workshops in the Fresno/Madera area. Get the state to give you more funds so you can do the two suggestions above. (S) (1) (3)
- More training sessions in rural areas, especially for candidate/officeholders and treasurers. Phone service needs faster turnaround time. (1) (3)
- Hire more people of the caliber you have now.
- The staff is often difficult to reach and does not, in my experience, return telephone calls consistently. The Commission Newsletters are quite helpful, but the summaries are frequently repetitive and lack focus. (1) (2)
- Have more technical assistants so they would call back sooner. When we call to make a question, it is often the next day or later that we get the answer. (1)

- Get better opinions out quicker. Have a better understanding or real implications of advice. Where application of ? doesn't accomplish Act objectives, be willing to consider changes. Be less bureaucratic. (1)
- More access through web site. (2)
- Staff is courteous. Staff is not always competent although staff is clearly trying hard to be competent. I attribute lack of competence to lack of experience.
- Increase staffing levels for "live" technical responses. More pamphlets and information to cities on matters relating to FPPC (i.e., types of campaign forums, when and where to file, etc) (1) (2)
- Try to answer calls in a shorter period of time. Establish hot line numbers. Shift workers for late or early telephone calls. Meet regularly as a group so that everyone gives out the same opinion and/or advice. (1) (4)
- Legal staff could give answers, which didn't equivocate. From a city perspective we contact you because our clients want some level of certainty. However, 90% of the time, we wait for weeks and then get back an answer which says "Depending on your exact facts, this may..." this is incredibly frustrating and time consuming, for you as well as us. Also, it is the perception of many city officials that if you put more of your limited resources into advice staff and less on enforcement of trivial matters, everyone would be better served. (1) (4)
- All of the rules have become so complicated it is extremely difficult for candidates to run for local office. It would help the election professionals as well as candidates if all election laws were repealed and we reinstated the ten most important laws. (2)
- Respond more quickly to requests for opinions, especially when elected or appointed officials are in need of them before they can act. (1)
- Return phone calls. Calls I make always go to someone's voice mail. I have had to call a second time for a reply. (1)
- More people to give telephone advice. (1)
- Inform and educate the filing officers on new regulations sooner after changes and more often in local locations.
- Getting questions answered on 1st call, no waiting for call back. Leave forms alone; form 700 is terrible. (1) (5)
- When I call in, I usually am forwarded to voice mail. Then I have to wait up to 3 hours for a return call and answer. (1)
- Return phone calls. (1)
- Put all agenda items, draft regulations, minutes, and advice letters and opinions on the web site or fax-on-demand service. It would make the information more timely and eliminate mailing costs.
- 1. Update and organize FPPC opinion volumes.
 2. Route phone calls to a live person.
 3. Return phone messages.
 4. Provide concise answers to inquiries.
 5. Harmonize contradictory regulations. (1) (2) (4)

- Have one contract person so that we would get the same person each time we call at least to start out. (1)
- Quicker, more complete written opinions. Harmonize difficulties of small jurisdiction conflicts with “unbending” interpretation. (4)
- An updated “Filing Officers” handbook is badly needed. Faster response to telephone calls requesting assistance is also needed. Immediate written material is needed on implementing new laws – i.e., Prop. 208. (1) (2)
- Providing more timely follow up on Lobbyist Reports and SOEI. We get notices requesting amendments for Lobbyist Reports filed up to a year prior. (2)
- The timeliness of responses to telephone questions could be improved. As City Clerk, we are often under a time pressure to respond to other’s inquiries and must wait for clarification from FPPC. (1)
- Quicker responses to telephone inquiries, and having more people available to take phone calls rather than leaving messages on voice mail and waiting for return. (1)
- Continue to streamline and make more and more forms available on-line (5)
- Only get to overall 5 with more staff for quicker responses. (1)
- Let us know you got the message. Usually a machine takes the question. (1)
- More timely service letters. (1)
- Getting a response in a more timely manner. (1)
- There have been at least two occasions when we have had to follow-up with multiple phone calls before receiving telephone responses or forms in the mail. Increase staff to improve response time. Make consultants available for candidate/treasurer training throughout the state if sponsoring agencies (cities) pay travel/hotel/meal costs. (1)
- Problems are mostly in the areas of new staff who are not fully trained yet and who have some trouble understanding the issue. Also, the phone availability limits are frustrating when an issue is really “hot”. I have no complaints about the requests for written advice I have made. Unless that process has slowed down in the last year, it seems to function well. (1)
- More staff. Increased workshops in LA county for both sci and campaign(We are large and cannot go out of the county to hear what you say). More information on what we as city clerks need to know. How about a videotape of a workshop periodically? I’ll pay! Cheaper than going to a workshop where I may or may not hear you correctly plus I could share with the staff. Use technology to fullest. Let us know when there are new regs or rulings – put on your home page. We can’t keep calling for each thing. Use examples for our edification. (3) (4) (6)
- Simplify the rules and regulations. It is difficult to interpret. I suspect that because the rules and regulations are so confusing that they generate many questions from customers and, therefore, it is difficult for your limited staff to promptly respond. (S) (2)
- You could be a 5, if staff availability improved. During election time or peak times, would it be possible to obtain part-time assistance.
- Be more specific in explanations and interpretations. Sometimes answers are vague. Return calls sooner. (1) (4)

- Sometimes [FPPC is] slow. (1)
- By combining all of the FPPC manuals, forms, instructions into one manual, fewer forms and more easy to understand (language) instructions; this is particularly true for campaign forms. (5)
- Provide direct phone numbers to consultants. (1)
- Return calls faster. (1)
- Have more staff.
- The improvement I would appreciate is the return calls to be more timely. Having a filing officer's handbook for campaign forms. The only one I have is for Form 700's. Providing sample letters for any late filing of campaign disclosure forms, missing information etc. (1) (5)
- Provide more frequent, timely seminars on FPPC rules and requirements – both on updates and as refresher courses. Return calls more quickly regarding inquiries. (1) (2)
- Quicker return of calls. (1)
- FPPC regs. are generally perceived as overly complex and often difficult to administer. Continuous efforts at simplification and clarification should be pursued. (2)
- I have often utilized the phone service and it has been very helpful. As with many laws, simplification of the regulations would be helpful. (S) (2)
- 1. More online/telnet information services. 2. Offer electronic filing services 3. Offer guidelines for scanning. 4. Offer an electronic bulletin board/list for discussion, questions and answers. (1) (2) (6)
- More people to answer questions. (1)
- Representatives should be available for longer hours than they currently are available. (1)
- Faster response time; less complicated regulations. More staff would help. In some instances it would be very helpful to have a quick answer without leaving a message and waiting for a reply. I feel that this is caused by a shortage of staff. (1)
- Return phone calls sooner. More definitive answers to specific situations. (1) (4)
- Same day turnaround on phone questions. (1)
- Just maybe being a little more friendlier, nicer when on the phone. Many time I have felt like I am bothering people who work at the FPPC when I request forms, need help, etc. (1)
- Make rules more understandable, concentrate on correcting big mistakes rather than typos, requiring amendments long after a mistake was made, etc. It's hard to know how to advise association clients about whether they (exec. Dir., to level staff) should register – Ambiguity. (4)
- I tried to schedule a workshop for candidates and treasurers for the 1995 election for cities in area. I asked FPPC to conduct the workshop and I was told no – short stiffed. (3)
- Need more assistance.
- Having a person available to answer the question when called – generally it is several days later because of telephone tag. (1)

- Forms should be less complicated, not so voluminous. Much paper is wasted. (5)
- Expand telephone advice hours. Your \$150 subscription charge caters to attorneys alone – adopt a lower fee for the public! (1)
- Phone coverage sometimes a little light. Takes one or more days to get call back. (1)
- Have more staff available to answer questions. (1)
- Service is excellent. However, some of the statement forms (both SEI and campaign statements) are geared for large spenders and big money individuals. They are difficult for small agencies to adapt their particular situation.
- More people to answer telephone inquiries. (1)
- A 5 rating for services would be: providing a timely response to calls regarding campaign questions, well-timed mailing of new campaign materials and provide more seminars in the Inland Empire (San Bernardino and Riverside area) The San Bernardino area has a total of 24 cities which provide election services. As filing officers we have many request for seminars closer to our area. (1) (3)
- Probably with more staff to help deaf with new law interpretation and enforcement; and to help with the inundation of questions/problems during the busiest times. (1)
- I used to find it troubling that there were so many inconsistent advice letters. The new website service is helpful but it also reveals a large number of inconsistent letters. Would the FPPC consider preparing an annotated version of the Act and Regulations with the important advice letters and enforcement decisions? (S) (4)
- If you can't or won't answer a question, be more helpful in providing guidance about how to answer it. "Go look on Website" is not very helpful. How would a responsible filer go about finding out that information? For example, suggest that the filer check with the SEC or with the company that provides a retirement fund. Have some examples of typical scenarios, etc. (S) (1) (6)
- If you had more staff, phone calls could be returned more promptly. However, this is true of most agencies. There's never enough staff. (1)
- Public awareness of what conflict of interest covers. (Public/community members are aware of conflicts, however, are not aware that it is or could be a violation of the agencies conflict of interest. (2)
- Hold training sessions in So. California more often. (3)
- Make the review forms, instructions, manuals, regulation, etc. a lot simpler so they are clear enough for regular people to use. Maybe hiring a layman to review the forms so they can make them simpler. Once that person becomes knowledgeable about the ACT, fire him/her and hire a new one – to keep the layman perspective intact. (2)
- Have staff available on the phone and/or return phone calls more timely. Telephone advice is not always consistent from call to call. (1)
- 1. Return calls more promptly. 2. Advise more promptly ?? I.D. numbers of candidates. 3. Provide samples as guidelines for use in assessing/waiving fines. 4. Simplify the regulations. (S) (1) (2)
- It would be great help to have your opinions and advice letters either on the net or available through Lexis. Your advice letters sent out each month would be easier to access by us if sorted by document number and in numerical order. (6)

- To be able to obtain immediate response to a phone call. Hopefully w/in 12 hours. (S) (1)
- I can't help you with this. Whatever changes you can make must be incremental.
- Return telephone calls promptly. (1)
- At least one attorney available for telephone inquiries, 5 days a week, morning and afternoon. (1)
- Most calls of inquiry result in a call back from FPPC. Response person not usually available at the time of call. (1)
- Prepare a handout that we can give officeholders and active committees for next semi-annual filing w/ examples.
- Returning phone calls sooner. (1)
- Informal written opinions. (2) (6)
- More conferences, especially due to new legislation, should be held in more locations. Its difficult to drive 2 hours to attend one. (3)
- 99.9% of the time there is no one available to answer questions and the call has to be returned. While the call is returned within a day, it does create an inconvenience. (1)
- Get new forms to us as soon as possible – but you probably do that already. (5)
- Return calls within 24 hours. There have been time that the calls were never returned and we had to call again. (1)
- Expanded internet service. Faster response to requests for advice letters. (6)
- Better turn around on telephone advice. (1)
- Phone calls don't always get returned within 24 hours. Also, in one instance, an attorney failed to et back to me as promised. (1)
- Returning calls sooner. (1)
- Simplify the election reporting process.
- Sometimes informal advice is conflicting, I miss the “attorney of the day” service. (4)
- While you are overloaded, phone responses could be quicker. You should not charge for your meeting materials. (1)
- Us lawyers, we are used to relying on stare decisions. Examples of rulings on similar cases with plenty of disclaimers, let us decide. (6)
- Return phone calls more promptly. Sometimes they are returned promptly, but occasionally they have not been returned within 3 days, so I called again. (1)
- Improve the forms and reporting process to better serve small jurisdictions with minimal conflict issues. Allow for filing of charges to prior your reports instead of new annual report each year for each ongoing filer. Provide local workshops to help answer questions during annual filing cycle and around election. (2) (3) (5)

- Sometimes when I call, I leave a message cause the technicians are busy with other customers on the phone. It would be hard to add other technicians when this is not always the case. (1)
- I always get courteous, competent service, but there are often delays in reaching a technician – especially since Prop 208! More technical staff during business hours would be wonderful. (1)
- The only things would be an infusion of more funds to hire additional staff. I don't see that happening for any of us.
- I wish it were easier to talk to a real person. I wish the forms could be easier for people to understand. (1) (5)
- Quicker response to phone questions. (1)
- To provide excellent service the FPPC needs longer hours for the advice attorneys and technical consultants. The advice attorneys should also be more versed in the disclosure requirements since there are “cross-over” issues in the “real” world. (1)
- Have staff attorneys readily available by telephone for urgent opinions and advise. Being able to issue opinions on conflicts outside the FPPC Act. (1)
- Assign a “case manager” to cities to improve consistency. This would be the agency's contact person. (4)
- Return phone calls on same day or have someone available to answer a question if we need an answer right away. As a filing officer, I refer officials to your office to answer questions they might have on filling out their FPPC forms. Their main complaint is that they leave a message and it takes a day or two to get a call back. If they are not available to take the call, they end up playing phone tag with your office. (S) (1)
- Enlarge staff.
- I could only recall one time the City of Bell needed a certain document ASAP. I was supposed to receive it the next day by Federal Express, but there was some miscommunication that my “order” was never inputted in your system. Maybe some improvements to your ordering service will prevent this problem from reoccurring. (S) (1)
- I am satisfied with most everything. However, when a letter is sent to the Council Member, it should be sent to the City Clerk at the same time, not two weeks later. We can only help if we know what is being requested.
- Calls should be returned more promptly and a 800 number should be available. (1)
- A better phone system would help! Takes forever to get through. Get rid of old mailing lists. This survey was sent to an address that became obsolete in 1989. (1)
- Less confrontational when asking for advice.
- When laws are made by the legislators, see to it that there are some strong enforcement tools for collecting on penalties, or enforcing penalties. Help to establish laws that if there is a violation by an elected official that has not been taken care of that this person cannot run for office again.
- Each year, put out an updated pamphlet for distribution to all filers, which addresses disclosure and disqualification requirements and the gift and honoraria prohibition. (2)

- Simplify the process, decrease the number of employees (non-elected) that need to file. Clarify the position on which consultants need to file. Provide more training in rural areas. (3)
- Remind everyone that deals with the public that we are their customers; always strive to recognize and appreciate the needs of the customers.
- FPPC could serve us better if they were to make their advice/opinion letters accessible (via Westlaw) before 1986, either in full text or summary format, or in a database format on diskette. For those who don't have access to Westlaw, put the letters on FPPC's website in summary format. Increase the number of "attorneys of the day". We have had the unfortunate experience of leaving a detailed message and not getting a call back, then calling the following day and having to start over with the next day's attorney of the day. Lastly, make the training session in San Francisco in 1996 an annual event. It was helpful, and could consist of morning lectures on the basics and afternoon lectures on updates; or both could be combined. (S) (3) (6)
- Having people who can take telephone calls directly rather than having to leave a message. The last two years, advice seems to have gotten less consistent, particularly from the attorneys. Technical Assistance advice has been OK. (1)
- Expanded hours of accessibility to telephone legal assistance, especially for potential conflict of interest questions; often, such questions occur in the afternoons, but legal assistance is only available until noon. (1)
- A faster response. Complying with the provisions of Prop. 208 complicated our March 4 election. The candidates continually called the City Clerk's office with a variety of questions. Some questions we referred the candidate directly to the FPPC, on questions that could relate to each one, we called the FPPC direct. The election process had started prior to the passing of Prop. 208, and in view of that, I think everyone did the best they could. I do not like the new Form 700. (1) (5)
- At times, the delay in receiving a response to a telephone inquiry seems long. (1)
- More in depth information and simpler explanations so that small rural county districts can begin to understand why they are subjected to the requirements of a conflict of interest code and filling out Form 700. (2) (5)
- I believe the staff is very competent and helpful when it comes to responding to inquiries regarding the laws and FPPC requirements. Sometimes it takes a day or two before a call back can be made and a quicker response time would be helpful. (1)
- I think that the Commission is doing a good job with what it has to work with. Maybe more direct communication with filing officers and filing officials RE: campaign filings would make our life easier.
- Less paper! Keep simplifying! (5)
- By having more representatives to respond to telephone inquiries. (1)
- Have more consultants available by telephone when I place my calls rather than having to wait for a call back when I may not be available, which requires me to place another call. I used to be able to talk to a consultant immediately. (1)
- More training sessions in Southern California. It is apparent that effort is made to provide information requested. As the laws governing campaign spending and contributions become more convoluted, it becomes more and more difficult to understand and carry out the requirements of the law. (3) (6)

- More communication between local filing officers and FPPC regarding receipt, or lack thereof, of forms for filers with multi-jurisdictional filing requirements. More simplification of forms. (6)
- Only twice have I had someone who was not very courteous.
- 800 numbers: 1 for counties, 1 for the public. Return calls more quickly. Get each year's updates out more quickly. Consider using forms for more than 1 year. (1) (2) (5)
- Excellent service; if you're looking for ways to improve, some of your written materials could be geared more towards public officials with little FPPC background. (2)
- I find the response always to be timely and thoughtful.
- Index your opinion letters. They are the only source of the law, since the Commission doesn't issue opinions anymore.
- More training sessions located in the Ontario area. (3)
- It would be helpful to have more analysts on the phones each March, especially when filers have questions. (1)
- To be able to inquire on the internet and receive a response within two days. (1)
- Messages left for your staff on voice mail have to be explained all over again when you return the call. Then, if you do not get a hold of the caller, you ask for a call back. That adds to three calls thus far! So, listen to the questions, and answer it on the callers' voice mail. It will save time for all. (1)
- You could be a "5" by having a representative available for every call (probably not a realistic goal). (1)
- Offer more workshops-training. Provide all the necessary forms on the Website. Make sure that all the employees are aware of the changes in forms/laws, etc. (3) (5)
- After Prop. 208 passed, I called and asked a question and received a strange answer (law was new and effects weren't totally comprehended, yet). I called back a few days later, because I was not comfortable with the first answer, and obtained a different answer from a different person. Conflicting answers are confusing! (1) (4)
- When calling for Technical Assistance, having personnel to answer the question rather than leaving voice mail-sometimes playing phone tag that lasts for days. (1)
- Always have a tech. Available when someone calls instead of having to leave a message and wait for a return call. (1)
- Eliminate inconsistencies and gray areas within the PRA! (4)
- Occasional receipt of different answers to the same questions. (4)
- To some extent the Fair Political Practices Act, but to a great extent the regulations adopted by the Commission, are far too complex. The regulations should be greatly simplified so that public officials subject to the Act and the general public can easily understand what is prohibited. (2)
- By maintaining your willingness to trying to understand the individual problems created by comprehensive regulations that really don't apply to every situation.
- Additional staff for technical assistance.

- Your office seems to be undermanned and I am unsure of the hours to call. (1)
- Your consultants are so busy it is impossible to reach someone with one call. Voice mail is appreciated, but calls are made between meetings and various job obligations pull me away from my desk. Often times it takes 2-4 days of “telephone tag” to obtain an answer. (1)
- Technical advisors are not always available to answer questions of immediate urgency. Provide a contact person for each city. (1)
- The review of conflict of interest codes can get bogged down in stylistic details.
- I have had excellent response from both the technical assistance unit and the enforcement unit. Darryl East has been especially helpful and responsive.
- Continue to find ways to reduce paperwork. Push legislation to increase cost per page for copying campaign statements.
- By creating a loose-leaf manual, specifically for local elections, that could be kept current with changes by dating everything you publish/print on the bottom right side of each page. (2)
- You’re doing fine. Communication is up. You could send more than one copy of the 400 Series and 500 Series materials-our copying costs are horrendous when copying the Manual A and other forms.
- Make the instructions easier to understand. Even one Council member who is an attorney did not understand some of the instructions. I don’t know how you will do this, but I think it could be broken down in a manner easier to read and to understand. (2)
- Provide more training. (3)
- You are always there when I need you.
- You are a “5”. I and my staff are very impressed with the quality and level of service that you provide. We, and our candidates, and the State of California would be ill-served if you were required to cutback on your services.
- You are a “5” but perhaps strive for a “10” by having an 800 phone number. The volume of calls has increased because of 208, however a quick response should continue if possible. (1)
- It is a “5” because of the prompt attention and responding time when we have questions.
- I think you already are. My only suggestion would be to have more staff members on duty to respond to questions. I understand this would be difficult if not impossible due to budget constraints. Your staff has always been very courteous and knowledgeable both on the phone and at workshops. (1)
- You are serving me well now. Just keep up the good work.
- I don’t need to call on you often, but everyone with your organization has been responsive.
- Continue as is.
- I think you are doing your best under the circumstances. Do not have any complaints or suggestions.
- Eliminate forms? –Just kidding!
- You have been extremely helpful to me, a new inexperienced clerk.

- Further streamline/simplify regulations.
- Your service is fantastic. Don't change your attitude or friendly service.
- Hire more personnel. Employees seem swamped since passage of Prop. 208.
- You are doing very well.
- Develop a way so that your past opinions could be more easily searched and retrieved. At present, the only way I know of is to buy a rather expensive set of books from CEB. Perhaps a web page?? (6)
- You are doing an excellent job now, with response time kept to a minimum. One suggestion would be that you install a "800" phone line. (1)
- Current listings of all FPPC staff-names, departments, hours available, etc.
- Small cities such as ours needs more places to attend update information sessions. We missed out this year. The 700 forms are a little different and our councilmen are confused. (3) (5)
- Could be a "5" in timing by either training receptionists to answer some simple questions, or putting more personnel on phones to answer more technical questions-especially during campaign periods and times just before filing deadlines. (1)
- Send blank campaign forms earlier during election filing years. (5)
- Your service is excellent. Despite being headquartered in Sacramento, your agency expediently serves us with expert advice. Calls are always returned, referrals are always accepted from us and your agency is always ready to assist us.
- Better telephone service. More information on home page, especially all FPPC regulations with references to opinions/private advice letters citing them. (1) (6)
- You're doing an excellent job now.
- You're doing a great job now.
- More available staff.
- You do a fine job as it is.
- Your service is great!
- I have never had a problem getting your response.
- Your legal staff has been very responsive and helpful in responding to our questions and requests for advice.
- Put forms on disk along with standardized data base to help us all work together with regard to letters we send, tracking filers, etc. (5)
- Compared to many other state agencies who don't even answer their phones, you guys and gals are great. Unfortunately, this probably reflects the fact that the politicians who rely on your services have more clout than do the consumers and employees who rely on such underfunded agencies or the Dept. of Industrial Relations.

FPPC External Survey Questions: Question 3

Are there things that we should be doing that we are not?

TYPES OF RESPONSES

There is a need for:

- (1) *Better telephone services and response time; this includes more personnel, expanded available hours, 800 numbers, friendlier service, etc..* **(31 counts)**
- (2) *Easier-to-understand and more efficient and timely publications, regulations, newsletters, updates and bulletins.* **(39 counts)**
- (3) *Simpler and more relevant laws and regulations according to the general body and to local districts.* **(8 counts)**
- (4) *Simpler yet more efficient forms and form accessibility and distribution.* **(20 counts)**
- (5) *More accessible archives and information, possible via the web.* **(18 counts)**
- (6) *A simpler and more efficient FPPC personnel staff and associates which includes better communication within the FPPC network, more staff, and more training for employees (seminars and workshops).* **(54 counts)**
- (7) *Not to the person's knowledge.* **(22 counts)**
- (8) *No* **(31 counts)**

RESPONDED: 236

NON-RESPONSE: 91

*(S) signifies that the response was summarized for conciseness.

*A single response can contain more than one type of answer and suggestion.

- There should be more independent investigations of elected official's campaign practices, where abuses are alleged.
- Not to my knowledge (7)
- Not to this city's knowledge (7)
- Funding and promoting simplification of the law. Too many things are stupid! I.E. Charging as a gift for attendance at a reception. Ethics classes are not about ethics, but how not to make an accidental mistake you will be fined for. (3)
- Timely circulating new rules and their effective date would be helpful. We have been getting notice of intent to adopt and comment solicitation but then don't always hear what has happened. (5)
- Also, I'd like to see more timely information sent to cities and other public agencies with filing deadlines. An annual calendar with filing deadlines for that year's scheduled elections would be helpful and would probably save you many calls. (5)
- Please send updated forms of instructions when changes are made – could send them out automatically to everyone on mailing list, or start a new mailing list. It's awkward for filers to know how often to check for new forms/changes. (5)
- Do significant business with the commission. So, my suggestions is to concentrate on publishing and distributing the regulations and interpretations, more frequently and in a form that is readily searchable. I have relied too much on newsletter descriptions than on the language actually used in decisions and interpretations because that seems to be the bulk of the current materials that are available. (5)
- No (8)
- No coordination, communication. (6)
- Relax conflict regulations regarding doing business with council members when no other vendors within 15 mile radius. (3)
- Returning phone calls. Not providing opinions/advice in a time frame that is useful to cities. Cities need answers faster then you seem to understand – our agendas are week to week. By the time we are provided your services, the need is gone. (1)
- Answering questions. Fax responses to simple questions. You could meet via conference daily and fax a simple response to pending hub answerable questions. The phone line hours are troublesome. (1)
- Looking into leadership fundraising more.
- Yes, please answer the questions. We are asking of you. Give the same answer. (1)
- Asking local jurisdictions for assistance. We know of agencies that routinely violate your regulations, yet nobody asks for our input. (6)
- Provide training. (6)
- The FPPC should be more involved in the legislative and initiative process. Many of the laws do not make sense, are time consuming, and I question whether they actually work. The commission should be providing more advice on the how new proposals are either too confusing or unworkable. (3)
- My suggestion would be for your agency to designate investigative staff for certain kinds of problems so that local officials and staff could have a clear idea of communication. (6)

- Better enforcement. More local publicity of enforcement/actions. More, more workshops for city clerks – in local areas (6)
- Send out an update on prop 218 on a regular basis, without clerks having to ask. (2)
- No (8)
- Entire field is extremely complicated and there seems to be no interest on the part of the FPPC to make it more comprehensible or manageable – many people acting in good faith can run afoul of rules. (this is counterproductive). (3)
- I wish that I felt there was a general information line – instead I get the impression that because of the legal ramifications - each request goes to an “attorney” and loses its simplicity. (5)

The development of a simple procedure, which could be given to new employees, to get them started. The Fair Political Practices Act is complicated, and in many instances, the day to day work is being done by clerical employees with supervision by department heads. Let’s remember who does the actual work and address our mail outs to these individuals. (6)

- Turn questions around faster. (1)
- Possibly a web page to replace the newsletter or provide the agenda details at lesser cost to the agency. (2)
- Technical training sessions. (6)
- Appears the public receives responses more expeditiously than local agency. Need additional scheduled training sessions (Conflict of interest/campaign filings) in Ventura County. (Thousand Oaks good central area bid point between Ventura and San Fernando Valley. (6)

With passage of Prop 208 and 218 – Need training on duties/responsibilities of City Clerk staff for monitoring of campaign filings. (6)

208 letters on Internet need a brief summary. They are not useful just as to sent letter and your tracking number, provide new forms faster to agencies. (4)

- Returning phone calls. Having more staff available so that having to leave voice mail is the exception rather than the rule. (1)
- An annual question and answer sheet on common conflict of interest issues should be sent to all public agencies to update legislative brochures on new conflict opinions. (2)
- When a major change is in the works (prop. 208) have draft regulations written prior to election day. Then when it passes you can act quickly. This is a joke, the way 208 is being implemented. Why didn’t the FPPC spend staff time deciding how it would work. Then you could release the new regulations to the public right after it passes. There were only 3 scenarios (1) 208 passes (2) 211 passes (3) both pass. Have 3 different sets ready to go.
- No (8)
- Preparation of a simple handbook with antidotes of the more common problems presented and questions asked. Directions concerning methods to resolve some of the more arcane problems under the current rules. (2)

- Create by regulation more protection for persons who rely on FPPC advice. Fixed turn-around times on advice requests. Wider availability of regulations – unless someone is a CEB subscriber, regulations appear to be available only on microfiche at the law library. (1) (2)
- Prepare guidebook and a way to use opinions – index, etc. the 3 volume guidebook published by a private company is difficult to use. (2)
- Technical assistants should be giving same answers to our questions. I have received a response and two month later call back and receive a totally different response to the same question---and this is from the same person. (1)
- Answer our urgency questions immediately. (1)
- When notifying our Council members and officials regarding their statements of economic interest, especially when there are problems, please notify the City Clerk. Often times, they come to us and ask questions and we usually do not know what they are referring to. (6)
- Less paperwork; i.e., Form 700. As the filing officer for the expanded statements of Council, Commission and public officials, there is way too much paper especially with 4 different agencies these people have to file. We have a copy of their statement sent to FPPC, and four originals of the first page of the 700 for each agency (Redevelopment, etc) they are a part of. (4)
- More telephone access (1)
- You and/or the state are imposing requirements on clerks but not giving them the training they need that is affordable and convenient. (6)
- More staff. (6)
- Please eliminate the current voice mail system. It is quite annoying! Many times we have really simple questions and are forced to leave a message on voice mail, not to get a call back until the following day. (1)

Train receptionists to handle routine inquiries. (6)

Give customers the option of leaving voice mail or speaking directly with a technician.

- Does the FPPC have an e-mail address where questions and answers can be posted? If not, start one. If so, publicize it more. Simplify campaign forms (490). (4) (2)
- 1. Training seminars with more practical advice – I.E. look at examples of statements that have been filed – what do we absolutely have to worry about when sending amendment letters? (6)
2. 800 number for filers with questions (1)
- Yes, hire more people. (6)
- As someone who practices municipal law, it would be very helpful for a proposition 208 briefing to be held in conjunction with the heaping cities' City Attorney's Department. It would also be helpful for an FPPC attorney to do a counsel of data at the City Attorney's Conference.
- Return calls within 2-3 hours. (1)
- Training staff in PRA. Suggesting staff consult or be familiar with advice letters when answering questions. (6)
- Focus on relationships with new city clerks, get them info on FPPC and FPPC requirements. Help us get you want you need! (6)

- You should consider allowing one comprehensive form to cover all entities. It is a waste of time to file originals for every entity we serve. One filed with FPPC and the county clerk should be enough. All other entities could be furnished as copy. (4)
- Establish hot line #'s. Shift workers for late or early telephone calls. Meet regularly as a group so that everyone give out the same opinion and/or advice. (1)
- And time consuming, for you as well as us. Also, it is the perception of many city officials that if you put more of your limited resources into advice staff and less on enforcement of trivial matter, everyone would be better served.
- 10-20 most important things a candidate (committee) should know. Bulletin Board for questions (over phone lines with modem.) (2)
- Respond more quickly to requests for opinions, especially when elected or appointed officials are in need of them before they can act. (1)
- More staff? (6)
- More telephone advice. Publish a manual on enforcement policies and a manual interpreting the Fair Political Practices Act and the regulations. (1) (2)
- More workshops on new regulations and on-going sessions – at least annually to review the procedures, dates, forms, etc. and conduct sessions locally. (6)
- Need to be more responsive. Offer more free seminars in more areas. (1) (6)
- Unknown (7)
- 1. Add more people (6)
2. Provide guideboards on PRA (2)
3. More seminars. (6)
- no (8)
- Electronic filing of lobbyist reports or statements of economic interest. (2)
- I believe the forms should be changed to reflect election filing periods rather than fiscal year filings. Candidate (particularly new ones) make many mistakes due to the calendar year breaking off in the middle of this city's election period. Also, this is even more important now that Prop 208 has established time limitations on fund raising. I would suggest that the filing period date be filled in by the local election officer. Guidelines could be given to General Law cities. Burbank is a Charter City and the City Clerk must make our own election calendar regardless. (4)
- Can't think of any thing – your office has improved leaps and bounds over the last couple of years. I hope nothing changes to stop that upward growth. (7)
- Not that I know of (7)
- I don't know of anything. I asked for a binder of the FPPC Rules/Regs. Took almost a week and a half to get it. (7)
- Personnel is very courteous and competent; however, timeliness is frequently a problem. (1)

- Keeping your pamphlet, California Conflict of Interest Law for Public Officials, which is excellent, updated and available. Issue more summaries like the Gift, Honoraria and Travel paper. The rules are very complex and should be revised for clarity and simplicity, if possible. (2) (3)
- 1. More awareness and warning in your advice letter that they do not address more re-constructive provisions that may be in the local ordinance. (2)
2. Hold FPPC meetings in So. Cal. Also.
3. In newsletter – tell us how to file a complaint with FPPC. (2)
- Increased communication with candidates. Specific City Clerk/Filer information. Regular contact. Newsletter not always helpful. Publicize your call in line for info.(2) (6)
- Simplify the rules and regulations (please). I would also suggest that your left hand know what the right hand is doing. I have heard of and personally experienced situations where the legal arm is telling people one thing and the investigation arm is concluding something different. Perhaps the two arms can coordinate better and get on the same page since it is very difficult to get conflicting opinions. (3)
- There are times when, after discussion with an FPPC tech., that I wonder if I could have done further research. Would you evaluate our calls and direct us accordingly. Will you continue to supply what is required of filing officers, keeping in mind, that we also suffer staff reductions and added assignments and are limited to the time we can devote to FPPC filings. (1)
- Your workshops need to be held within a 50mile radius. I realize that this may not always be possible therefore would it be possible to do video presentations so that if I am not able to attend there are other venues available to me. Possibly a lending library of these videos for a charge to cover the cost of processing and postage.
- Answering any and all calls. Bulletins are very helpful. Workshops are very helpful. (1) (2) (6)
- No, tendency to over-regulate. (8)
- Working toward simplification of forms and manuals (as stated above). (4)
- Get on the internet. Scan all documents you received for internet access by customers. Sunset more retention periods. (1)
- Only related to staff levels. Simplify the process. Copying the various, lengthy manuals. Having the same procedures for small cities as you do for assembly persons, Senators, who serve thousands of constituents – I believe this should be changed. (6)
- Conduct more “refresher” courses like the one held last year or so for executive managers. (6)
- More consistency in information. Sometimes a treasurer or City Clerk and myself will ask the same question and find later that we got different answers.
- Conduct follow-up interviews and studies on advice given. Was the advice helpful? Perceived as accurate? Were all questions answered? Any proposed clarifications to regulations?
- A listserve for discussion/questions would help; we could see what other counties deal with and what their solutions are. (2)
- In addition, it would be nice to have a list of available brochures or pamphlets that the FPPC publishes so that customers are aware of available literature. (This could also cut down on some advice phone calls). (2)

- Forms that need to be completed should have complete instructions right on the form, including where the form should be filed. All forms should be dated. Instructions in the manuals are not always clear or correct. (4)
- Seminars conducted by your staff would be nice. (6)
- More workshops throughout the state would be helpful. Many times our staff members should attend, but are unable to, because the workshops are too far away. (6)
- No (8)
- No (8)
- Having workshops (voluntary) to help lobbyists understand the law- your enforcement of it better. But overall, I think you do a pretty good job. (6)
- Make available guidelines as to when you will and will not send speakers. (2)
- Anyway to reduce # of campaign filing forms? Reduce campaign filing needs for small cities. (4)
- Expand phone consultation hours with City Attorneys. (1)
- On again – off again legal definitions are confusing. Your slowness (208) stifles political participation. (3)
- I have had good service. If all FPPC staff is busy, I leave messages. I generally receive calls back within 24 hours; however it would be great to speak to staff when you call in. (1)
- Better follow up with files that have been forwarded to you for compliance assistance. This office has waited over a year, and have received only a confirmation that our letter was received. We know that you handle hundreds of compliance cases, but even some acknowledgement that the file will be dealt with eventually would be helpful.
- None of the services the commission provides are neglected. (8)
- Not that I know of. (7)
- More frequent bulletins. Restore the service of having advice attorneys available to answer requests for advice over the telephone. (1) (2)
- Better instructions, examples, for SEI's. There are lots of recurring questions that could be eliminated for you and for us with better instructions and examples of common problems. Simply the forms. (S) (4)
- Not that I'm aware of. (7)
- Influence legislators to remember local agencies and local filing obligations when they come up with new laws and regulations. I get the impression that written advice is very slow in coming down the pike. (3)
- Print FPPC Bulletin on lighter paper – less costly – perhaps mail amendment forms with SEI forms each year – always have to ask.. (2)
- Because I think that the seminars are beneficial, have the seminars located in an accessible area so that more clerks are able to attend. (S) (6)

- You should have some of your meetings in Southern California. You should work more cooperatively with local enforcement agencies. (6)
- Hotline service for responses the need immediate attention. (S) (1)
- Being consistent on your responses to individuals calling for advice. I still hear of inconsistencies. Provide Forms on disk – Microsoft Word. (2)
- Hold more seminars throughout California (not just Sacramento) to educate filing officials on changes in the PRA. Semi-annually would be great! (6)
- Just need better staffed phones. (1)
- 1. Coordination with Secretary of State office could be better, but I think that is their fault. Sometimes both agencies send out the same (or even worse, conflicting) information.
2. Toll-free number for filers to call would be nice. (1)
3. I think sometimes your people are not all aware enough of the different filing obligations for council-member who don't receive a salary. (6)
- no (8)
- you could use more people. (6)
- I realize that budget cuts have hurt. But the availability of your personnel on an immediate basis is very critical, especially during reporting periods. (6)
- No (8)
- Maybe issue a periodic summary of law/reg changes, pending regs. Interpretive guidelines – eg to assist in determining who is a consultant. (2)
- You should be returning to the timer when you analyzed all of the data being submitted under the Act. This data is useless unless distributed to interested persons and the press.
- Would appreciate more frequent filing date schedules. We do not always receive a copy of a “late” letter sent to an officeholder. We should.
When a letter is sent telling a person they have to pay a \$100 fine, the letter should be more specific as to who to make the check payable to and where to send it. When we get a check made payable to FPPC which has been forwarded to us by FPPC, it is a lot of extra work to contact the person and have them issue a new check. (2)
- Disclosure forms are still somewhat confusing to persons required to file. (4)
- Nothing comes to mind (S) (7)
- Can't recall any. (7)
- Because your instructional materials are so thorough, I would appreciate a standardized “How to Become a Candidate” manual for citizens thinking about running for office. To provide them “early warning” about the responsibilities they will face in terms of disclosure, important treasurer responsibilities etc, in an overview format. This might encourage better attendance at the excellent seminars you provide when they realize how much they need the detailed info. Too often candidates decide to run and weeks or months after the fact they scramble for a treasurer (often an unsuspecting friend). We provide all manuals and our own reference and resource materials but new candidates never read it because it's “ just too much to read”. (2) (6) (5)

- Could there be a “totally user friendly” packet that we could distribute with the form 700. It is better than the previous one, but still requires a lot of interpretation. (4)
- Our elected officials and designated employees are really having a hard time filling out the form 700. (4)
- It would be helpful to have computer access to FPPC opinions and advice letter via Westlaw, Nexus or the Internet. (5)
- Hold periodic north/south meetings on reporting requirements and election standards. (6)
- No (8)
- Provide up to date calendars to show all filing dates and form numbers. (S) (2)
- The forms need to be simpler, the explanations need to be in laymen’s terms, and if the FPPC’s staff are the only ones who are able to answer the filers questions, then you need to have an 1-800 number with available staff to answer calls as they come in. The Filing Officers should be reimbursed for the cost of maintaining the FPPC’s records. The cost to County and City government is substantial and should be compensated by FPPC. (4)
- Consider preparing a video tape on the new forms that could be shown by local filing officers to groups of filers prior to annual filing dates. (6)
- More receptive to inquiries. (1)
- Collecting on unpaid fines on elected officials who have been found guilty of violating the law.
- Develop a standard form conflict of interest code for adoption by all entities, which must have codes. Provide sample disclosure categories, which can be elected by checking a box. Do away with biannual code reviews and eliminate the need for code viewing bodies. The current process is very time consuming and creates a lot of paperwork.
- Provide training more often. (6)
- Obtain a 1-800 telephone number. Local candidates don’t like to call long-distance, even when we tell them to call collect. (1)
- It would be helpful to have hard copy search tools in addition to those online. We recommend that you continue CEB’s former practice of making indices of: advice/opinion letters summaries, a cross reference of advice/opinion letters along with Government Code sections; and an index using keywords. This was last updated in 1980. (5)
- There should be more independent investigations of elected official’s campaign practices, where abuses are alleged.
- I’m sure there are things we all could be doing, but I can’t think of any at the moment. (7)
- Would like to see seminars geared for municipalities only. When combined with county and state, gets a little confusing.
- The form 490’s seem particularly complex. (4)
- Provide training on conflict of interest issues as it pertains to local governmental agencies (ie. districts) (6)

- Not to my knowledge. (7)
- I would like to see workshops in each geographic area on Prop 208. This will greatly impact cities and city clerks and there is so much that is not known at this time. I would be willing to host one in Orange County. (6)
- Do not attach forms we must fill out to the back of large pockets.
- No (8)
- Providing all forms on electronic media which is compatible with major computer programs so cities could provide information in a paperless manner. (4)
- How do you simplify the law so it is understandable? A novice candidate is overwhelmed by the requirement and how to fill out the forms – let alone comply with the act. (4)
- No (8)
- Workshops throughout the state for filing officers; for campaign expenditures, for statement of economic interest forms. (6)
- One more: put more on the internet – advice letters (searchable) would be nice. (5)
- Many times your written advice letters merely recite the general guidelines without providing your specific opinions and conclusions. It would be helpful if you could provide the specific opinions and conclusions of the FPPC regarding a particular factual scenario. (2)
- Perhaps put your opinion letters on Lexis? (5)
- No (8)
- Develop a cross-indexing system for expanded filers. Each council-member, for example, receives their Form 700 from the City Clerk and also receives statements from each agency who's board they sit on. They are not sure if they should respond to every agency or direct the City Clerk to send our multiple expanded statement. (5)
- More availability of forms and instructions on internet or more telephone accessibility (more budget?) yes! (1) (2)
- No. I think you do a great job. (8)
- I was glad when the commission went back to a 40 – hour week. Half days just don't work!
- Provide more training to City Clerks. Workshops provided on an annual basis for Statements of Economic Interest, around January/February would be nice. Workshops offered throughout the state (So. Cal) on campaign statements is especially needed. Of they were offered semi-annual before each filing deadline, City Clerk's could be better informed of what to review, etc... Fax or e-mail all city clerk's when important changes are made (emergency regulation) (6)
- No (8)
- Make forms simpler to understand. (4)
- Since FPPC creates forms, audits and advises on how to complete them – how about being filing recipient for all forms with copies sent to agencies. (6)

- Not always assuming that you are right and that is the only way you can arrive at the same result. Why the “we are going to get you if you good” I know there are cheaters. However, basically the majority of committees are trying to abide by the regulations and don’t appreciate the increased legal penalties. We are not all professional politicians.
- We understand FPPC’s limited staff for technical asst. questions – we work around and with your office limits. (6)
- Consider consolidating the 470 and 490. Perhaps a section of the 490 could be dedicated to those who will expend/collect \$1000 or less. Conduct more workshops and familiarize us with 208. (6) (4)
- None I can think of. Your budget constraints are well known and only so much can be done with so limited a staff. (7)
- The frequently asked questions and answers provided in the bulletin and other correspondence from FPPC is very helpful; more such questions and answers from the simplest to more complex questions would be appreciated.
- Providing “E-mail” access to FPPC decisions would be helpful. Or compiling statutes, rules, regulations, and decisions on a CD-ROM disk would be very helpful (especially if there is search capability)
- Have seminars in Orange county.
- Possibly you could print form’s in blue ink – so that entries (which are in black) would be more visible. (4)
- No (8)
- Any information provided to candidates at workshops should also be provided to filing officer, since often questions are addressed to dept. Provide news releases regarding FPPC that may not make a local news jurisdiction. (2) (5)
- It is just as much a cost to cities as it would be to state to reproduce forms – some relief must be given to cities.
- Response time could be more prompt if you had more staff in technical assistance. (6) (1)
- No (8)
- Copies of filings should be more in line with the city’s costs – other documents are 25cents a page.
- I am not aware of anything. (7)
- Complaint of violations should be investigated and disposed of more swiftly.
- Provide a checklist of filing deadlines (2)
- No (8)
- Would like to see a “user friendly” handbook to give to candidates, and annual fillers to aid with form completion. (2)
- Whenever I call I am helped immediately.

- Are FPPC opinions going to be on-line? That would be helpful to governments, candidates, legal advisors, mass mailers, etc. (5)
- Create digital data base of covered opinions with a good search feature and distribute on disk or post to internet. Make full text copies of opinions on internet. (5)
- I understand that the legal division will no longer take direct calls on issues and request for assistance. We are now directed to technical assistance. The 5 might downsize to a 0. (1)
- No (8)
- Can't think of a thing. (7)
- No (8)
- When forms change – have workshops before you hand out the forms. 700 form – lots of questions. (4) (6)
- 1. More seminars 2. Need a better booklet for distribution to council and board members which would explain conflict of interest issues in “laymen’s” terms. (2) (6)
- No (8)
- I know you try to streamline reporting (eg. Form 700) but I feel the reporting area is too broad – by that I mean superfluous etc., far removed from any policy decision, are on our reporting list. (2)
- No (8)
- Not to my knowledge. (7)
- Not necessarily should be doing but why are all the Economic Interest form “700”? Before, this was a distinction between 721 and 730 now it all blends. I personally think it is better to have one number designated for those under the old 721 disclosure and another number for those under designated employees. (4)
- I would like to see a new CEB Book to replace the Law of Politics (1977) (2)
- Not to our Cities needs.
- Directly mailing agendas to the Fresno bee would be helpful. I believe the agendas are available if collected in person. (2)
- Possibly, but none that come to mind at this time. (8)
- No (8)
- This time of off-year is when I would like a seminar regarding off-year election deadlines, filings, rules, etc. (6)
- Not that I am aware of at this time.(7)
- Electronic Access to statutes, regs, rulings, and opinions. (5)
- Re-open for phone calls on Fridays? Extended hours? Send a list of which Forms are still in effect each year. (1) (2)

- No (8)
- Conduct seminars regarding election law, Statement of Economic Interest, etc. in more locations to allow a broader attendance locally.(6)
- Is it possible to receive an e-mail address that we could send questions and comments instead via the phone solely?
- No (8)
- Not that I am aware of. (7)
- Setting advisories issued on 208 in a more timely manner. I know you are under pressure on this but so is my organization. (2)
- No (8)
- Please make more information seminars (day or 2 days) available on not only forms, but policies, etc... question and answer. (6)
- Need "chart sheets" clearly identifying filing requirements for candidates/council/staff with common criteria. (S) (2)
- I would like to see multi-county cases conferenced with all jurisdictions at the same time. It seems if the first county contacted decides to prosecute criminally, the remainder are in an awkward position. This is particularly true if the first county is satisfied with administrative remedies. (5)
-
- No (8)
- Like statements of Economic Interest, Campaign Statements should be filed with the FPPC with a copy to be retained by the City Clerk or appropriate local official.
- 1. Better telephone service. 2. All regulations placed on home page. (1) (5)
- Hire more staff to handle workload. (6)
- Wish there could be more local workshops. (6)
- Not that I'm aware of. (7)
- Could use more available phone hours. Get the AG office to update the 1989 Conflict handbook. (1)
- I can't think of anything that would be an more helpful than you do now. (7)
- None that I can think of. (7)
- Nothing (8)
- Not to my knowledge. (7)
- No (8)
- It would be very helpful if some publications could be put out regarding the law under prop 208. I also find sometimes that your formal advice letters/advisory opinions are somewhat oblique and leave issue unclear.(2)

- More access via internet. (5)
- Yes
- More workshops. (6)

FPPC External Survey Questions: Question 4

What three things are we doing “right” (serving you well)?

TYPES OF RESPONSES

- (1) The staff is courteous, knowledgeable, and accommodating. (131 counts)*
- (2) The availability, promptness, and responsiveness of the staff to phone calls are great. (142 counts)*
- (3) The advice and information given are accurate, clear, and helpful. (23 counts)*
- (4) The seminars and training sessions are valuable. (127 counts)*
- (5) Timely and relevant updates, bulletins and information are provided and accessible through mailing, newsletters, the Internet, or fax. (107 counts)*
- (6) The methods by the forms are provided have improved and/or more timely. (32 counts)*
- (7) The new 700's form is simpler and better. (25 counts)*

RESPONDED: 273

NON-RESPONSE: 54

**(S) signifies that the response was summarized for conciseness.*

**A single response can contain more than one type of answer and suggestion.*

- Three things the FPPC does well are: timeliness of response to telephone questions, good customer service attitude of telephone advisor (including willingness to send materials by facsimile), general cooperative attitude with local government. (2) (1)
- 1. FPPC Bulletin 2. Telephone availability to respond to questions. 3. Sending out this survey. (5) (2)
- Return all my calls. Have precise, “on-point” answers to questions. Knowledgeable and courteous staff. (2) (1)
- Requests are always answered in a timely manner. (2)
- Model codes quick phone call return about model codes and annual filings. (2)
- Prompt and courteous staff. Excellent training programs. (1) (2) (4)

- We appreciate your application of patient reminders when we are required to submit statements of economic interest. It is at times difficult to gather up the statements from our volunteer commissioners. We also appreciate your approach to work with them directly when there are issues or inquiries.
- I think a strong effort has been made to develop a relationship with the 480 city clerks who are in reality “your field soldiers”. Continue to think of us as part of the solution rather than the problem. Bulletin is wonderful. (5)
- 1. The FPPC staff is very responsive to the Cities phone calls. 2. New forms are wonderful. City Council members feel they do not have to fill out as many forms with the new forms. (2)
- None
- I can’t think of three – but this survey, if taken to heart , is a start.
- Your staff is courteous but reserved. You do try to get your answers right. (1)
- I do not know.
- Good advice, competent staff, and good attitudes. (3) (1)
- You do offer accurate information. You’re always very pleasant. You do get back to us. (2) (1) (3)
- Most of the employees are courteous, accommodating, and knowledgeable. (1)
- I can name one thing and that is the routine mailings and notifications with respect to required filings and reviews.
- 1. Workshops are good- need more 2. Your people are knowledgeable – when you reach right person. (4) (1)
- Return calls. Follow up on referrals for enforcement. (2)
- Your responses are well and thought out. Doesn’t need any additional inquiring. (3)
- Newsletter, cleanup/consolidation of forms. (5)
- Newsletter, workshops, simplification – the combining of Form 721 and Form 730. (5) (4) (7)
- Courteous technicians. (1)
- Fast reasonably thorough response by press officer. (2)
- Providing forms, conformation bulletins and guidelines. (6) (5)
- Toll free numbers. (2)
- The technical staff and legal division are very informative and helpful when they bother to return phone calls. (1)
- Very good newsletter. (5)
- 1. Generally courteous 2. Appear serious re: statutory duties. 3. Advice consistently conservative. (1) (3)

- 1. Workshops are very good. I always learn something. 2. New forms are delivered promptly. 3. Staff are very competent. (4) (6) (1)
- Newsletter with info on legal issues. Exceptional presentation. (5)
- Courteous. Reasonably responsive. The obvious goal is to speed up the written opinion process. (1) (2)
- 1. Addressing troublesome areas such as measurement of conflicts with distance regulations. 2. Courteous, pleasant persons to deal with on the phone. 3. Growing recognition that input from municipal law sector generally on regulations, questions, etc. is useful and helpful and improves end product. Increase in number of candidates and elective offices increases chance for non-willful violation of rules; perhaps they need to be simplified.(1)
- Personnel are helpful and have a good attitude. You seem to just be understaffed. (1)
- Most technical assistants are courteous. That I thank you for. Seminars are very helpful. (1) (4)
- The new FAX on demand is great. However, it was not advertised/noticed to us. I stumbled on it by accident. When we do reach FPPC staff, they are always courteous and efficient. (5) (1)
- Your technical staff is great! We all appreciate their help. Treat (filing) officers as peers versus just another filer. (1)
- The SEI Newsletter is informative and effective. Providing FPPC Forms on the Internet! The toll-free telephone number that allows citizens to report suspected violations. (5)
- FPPC Reps are helpful (when you can get one on the phone) Form 700 is much better than the 721 and 730's. (1) (7)
- Staff is courteous – from receptionists to analysts. (1)
- 1. The knowledge possessed by the few you employ is awesome 2. The few you employ are courteous, caring and well-trained. 3. You provide excellent informational sessions. (1) (4)
- The commissions are responsive to local government concerns and the staff is very knowledgeable and helpful once contact is made. (2) (1)
- The technical advisors that do return calls are very knowledgeable and helpful. (1)
- 1. Generally staff is friendly. Seems anxious to be helpful. (1)
- 1. Schedule for phone advice is clear. 2. Material is fixed promptly 3. Website works well.(5)
- FPPC Newsletter is a big help. Responsiveness to questions is good. Presentations and annual workshops are very helpful. (5) (2)
- Very professional and competent staff. Keep providing informative workshops and meetings. Keep streamlining forms. (1) (4) (7)
- Customer service on telephones good. One you do get a consultant, it's a pleasure. (1)
- Technical staff is good. Your web page with 208 letters is very good. (1) (5)
- I believe you are making your best effort but there are too many laws.

- I like the bulletin. Responses to requests for documents are quickly given. Phone service is always excellent. (5) (2)
- Providing seminars as needed. Providing copies of forms needed, rather than a single copy for us to duplicate. Answers to my questions can be answered “on the spot”, once I connect with a staffer. (6) (4)
- Webpage. Timely nature on regulations and advice letters. Staffers responsive overall. (2) (5)
- The workshops that you conduct are excellent. The people you send are well informed. (4)
- Once I get a call, I always get answers. Everyone is polite and courteous. (1)
- Workshops are timely and useful. Bulletins are informative and interesting. (4) (5)
- Fairly good response time for telephone inquiries. (2)
- 1. Including phone number on nearly all official documents. 2. Holding seminars. 3. Updating seminar materials. (4)
- 1. Timely year end notices. 2 Improved Forms. 3 Better “How To” bulletins. (5) (7)
- 1. Prompt return calls. (2)
- Form 700 was a big improvement. FPPC Bulletins are helpful. Seminars are good. (5) (7) (4)
- 1. Good seminar presenters and workshops. 2 Getting information to cities and providing follow up info when needed. 3. Great telephone response to questions. (4) (5) (2)
- We are well served with the training, supplying of forms, and information as to changes in the law. (4) (6) (5)
- Advice letters seem to be issued timely, and you have done a good job with the fax request line for proposition 208 advice letters. (5)
- Updating and simplifying forms. Technical service. Fast service. Online services and forms. (7) (1) (2)
- Return calls as soon as you’re able. Thorough phone advice. (2)
- Access on website. Access on internet. Availability by phone. (5) (2)
- When I call you are very helpful and informative. (1)
- Answers are understandable; FPPC Bulletins are informative; Dixie is particularly helpful because she faxes written opinions right away when response time is short. (3) (5)
- Phone contacts are pleasant. Written contacts are prompt and set forth a clear statement of what to expect and when to expect it. (1)
- 1. Allowing a concerned citizen to request “informal advice”. 2. Providing advice letters and Regs by Mail and FAX. (5)
- 1. Streamlining the forms 2. Newsletters 3. Local training workshops. (7) (5) (4)
- Providing fairly prompt responses to conflict of interest questions. (2)

- 1. Training sessions 2. Conferences having the appropriate resources and literature ready. (S) (4)
- Answering any and all calls. Bulletins are very helpful. Workshops are very helpful (2) (5)
- Continuing information on rules and interpretations. (5)
- 1. The FPPC Technical support line is great. 2. The support people are responsive and helpful. 3. Training sessions are useful – have more of them. (1) (4)
- The assistance, consultants, and updates. (1) (5)
- 1. Good people working for you. 2. Willingness to seek consensus in rule making. 3. Newsletters.(1) (5)
- Getting the forms to City Clerks in a timely manner. Information requested is explained in detail that is understandable. (6)
- Providing copies of materials as requested. Being courteous, professional, and responsive. Maintaining the bulletin. (1) (5)
- Willing to help, politeness and usually correct advice. (1) (3)
- Hotline for informal advice. Advice letters on diskette. Knowledgeable staff attorneys. (2) (5) (1)
- Response to call in for assistance has been reasonably timely. Faxing copies of advice letters on similar issues. (2) (5)
- 1. Offering regular workshops on the law/requirements. 2 Alice Hughes is great – very helpful. 3. Offering a website/telephone assistance. (2) (4)
- Friendly on the phones. Forms are mailed with good instructions. Instruction booklets/ newsletter are good. (1) (6) (5)
- For the most part, timely responding to advise questions. (2)
- Return calls are prompt. Questions are answered courteously. Forms are usually received in time for distribution to the proper people. (2) (1) (6)
- Legal hotline is excellent! (2)
- Making the forms available quickly and on the Internet. Courteous staff that respond as quickly as possible. Informative newsletter. (6) (1) (2) (5)
- Newsletter – Timely updates on issues. Responding to inquiry. (5) (2)
- Technical assistance. Good training. Timely mailing of materials. (1) (4) (5)
- You always get requests, items to us in a very timely manner. (5)
- You respond quickly to questions and direct me to where I can find out the answer if you do not know). (2)
- FPPC speakers at Clerks “Nuts and Bolts” seminar have been excellent the past two years. Responsive to phone calls. (4) (2)
- Consolidating forms to “700” is great. (7)

- Courteous and competent. (1)
- Good newsletter. Appreciate training sessions in Sacramento. (4) (5)
- Fast response to requests. Good training programs are offered. Networking. (2) (4)
- Appear to be adopting realistic regs – way to slowly EG: Affiliation.
- Classes are always helpful. Never outspoken to someone on phone who wasn't courteous. (4) (1)
- Staff is knowledgeable, courteous and supportive. Forms have good instructions. I like the idea that Form 721 and Form 730 are now joined together.(1) (7)
- Prompt telephone responses. Courteous staff. Improving workshops. (2) (1) (4)
- Seminars (4)
- Great at getting forms to filing officials timely. The Bulletin is informative. A wonderful publication. Filing official workshops are informative and professionally delivered. (6) (5)
- Training seminars are excellent. FPPC Bulletin is very helpful. I appreciate very much your cooperation with City Clerks. (4) (5)
- 1. Accurate information to questions based on the information we provide to you. 2. Provide faxed copies of the codes and advice letters for future reference. 3. Provide viable information on the internet for quick answers. (3) (5)
- Usually respond promptly. Always friendly and professional. I haven't experienced the problem of getting different answers to the same question. (S) (2) (3)
- The new Form 700 is an improvement over the old form. Westlaw reduces the number of times each week I call the FPPC with questions. Fax on demand. (7) (5)
- 1. Prompt return of telephone calls. 2. Fax on demand service for important new opinions. 3. Westlaw for advice letters. (2) (5)
- 1. Staff are very knowledgeable and helpful. 2. Workshops are very helpful and well organized. 3. Materials are easy to understand. (1) (4)
- 1. Training of local agencies required to be a filer (4)
- Sending information timely. Combining Forms – Form 700 is great. (5) (7)
- 1. You always return my calls 2. Provide additional forms in a very timely fashion whenever I have requested more. 3. You fully accept responsibility for answering questions and interpretations for candidates and incumbents, relieving me of that burden. (2) (6)
- The new 700 forms are good. Furnishing updated info in timely manner. (5) (7)
- Providing useful written advice. Providing oral advice. (3) (5)
- Persons I speak with are very courteous, helpful and knowledgeable. Formal written advice has been given in a timely and effective manner. (1) (5)

- You are prompt and informative. I appreciate your bulletins with common questions and responses. (2) (3) (5)
- Redoing Forms – simplifying Form 700. Having advice letter – new regulation on Fax on Demand. (7) (5)
- Prompt practical advice when I do speak to attorneys. Excellent written advice letters when I’ve asked for them. (2) (5)
- Requests for Forms/informational reports sent timely. (6)
- Availability of data on the internet. Fax on demand. (5)
- Forms are received timely. Training sessions. (S) (6) (4)
- Rest.
- Respond quickly to questions when conferences are held, they are very useful. (2) (4)
- FPPC regulation info courteous workshops. (4)
- 1. Simplification of statements of Economic int. to one form – wonderful. 2. Good phone information. 3. Waiving fines when lateness is not filer’s fault. (3) (7)
- Continue to simplify forms for filing. 99% courteous responses. Provide updated material and information from secretary of state – great! (1) (5)
- Advisory bulletins – highlighting actual examples – advice letters, periodic seminars. (5)
- Sending forms expeditiously. Follow through on inquiries. Timely updates. (6) (5)
- 1. Use of the Internet (advice letters, etc.) 2. Seminars in local areas- extremely knowledgeable, friendly. (5) (4) (1)
- Responding in writing.
- 1. New form 700 2. Response to inquiries 3. Courteous in dealing with Public Officials. (7) (1) (2)
- Phone calls for informal advice are returned quickly. The pamphlets you put out are great – eg Travel guide, revolving Door Provisions – The training you did last year for agency executives was wonderful. (3) (5) (4)
- Excellent enforcement program.
- You are courteous- and you “get back to us.” (1) (2)
- Most always friendly and polite. Publishing excellent newsletters. Sending new information to be distributed. (1) (5)
- Bulletins are informative, providing constant reminders for deadlines and information relating to advise letters. (5)
- 1. Provide forms and info on requests very well. 2. Provide specific conflict info responses on a timely basis. 3. Generally easy to work with and responsive. (6) (2)

- 1. Being there to answer questions. 2. Keeping us abreast of new forms, classes held and new changes. 3. Reminding us of documents or forms due before the actual due date. (1) (5)
- Thorough, professional, excellent written and verbal presentations.
- 1. Questions have been answered in a clear manner. 2. Workshops are wonderful. 3. Bulletin is very helpful. (4) (3) (5)
- 1. Prompt responses to phone calls. 2. Good follow-up. (2)
- Keeping me up to date on legal issues.
- 1. The month bulletins 2. The yearly compilation of the Political Reform Act (PRA). 3. The informational publications that cover gifts, travel and honoraria, revolving door, and PRA conflicts. (5)
- 1. Providing thought out written advice. 2. Accepting input on regulations.
- 1. Answering of questions (though sometimes in conflict with prior inquiries.) 2. Responsive in returning phone calls. 3. Newsletter. (2) (5)
- 1. Holding FPPC workshops 2. Very knowledgeable in answering questions. 3. Sending forms and information when requested in a timely manner. (4) (1) (5) (6)
- Answering our questions! Keeping us informed! (5) (2)
- Friendly service. Thorough and helpful. Seminars correspond to upcoming city events. (1) (4)
- 1. Complete forms and information being updated. 2. Forms available to filers in the internet. 3. Better telephone response than before – much more responsive. (6) (2)
- Workshops and seminars on responsibilities of filing Officers and Filing officials. Receptiveness to working with individual departments/jurisdictions on special needs bases. Willing ness to take the time on return calls to provide thorough, detailed information. (4) (1)
- Getting form out in a timely way. Sending trainers out when asked. (6) (4)
- Responsive, attentive, accessible. (1)
- You have always responded to my (city clerk) questions in a timely manner. (2)
- Legal staff responds promptly and helpfully to telephone inquiries. Bi-monthly bulletins contain useful information. Staff promptly provides copies of advice letters, etc. (2) (5)
- Responding in a timely, courteous manner. Your operation seems to respond well and check our "honest" mistakes without being rude or haughty. (1) (2)
- 1. We have had FPPC analysts help us with our election seminars. They provide a wonderful service to candidates and treasurers by going over all the forms and the campaign disclosure process. 2. We also attended a workshop on Economic Interests that was very well done. In particular, Jeannette Truvill, Mary Ann Kvasager, and Lynda Cassady are outstanding. 3. We appreciate receiving all the information as it becomes available on Proposition 208 in a timely manner. (5) (4)
- Helpful staff, quick staff response time in answering questions(as opposed to "attorney of the day" incidents described above, which have been the exception rather than the rule); administrative streamlining. (1) (2)

- 1. Getting phone answers relatively quickly. 2. Providing notices of proposed regulations and “interested persons” meetings. 3. Having advice letters in Wests and on the new fax line. (2) (5)
- Three things the FPPC does well are: timeliness of response to telephone questions, good customer service attitude of telephone advisor (including willingness to send materials by facsimile), general cooperative attitude with local government. (2) (1)
- Always respond, whether timely or not. (2)
- Seminars – training. Quickly return calls and answer questions. (2) (5)
- Workshops, thoroughness. (4)
- Timely informational mailings. Timely return calls. (5) (2)
- 1. Providing materials necessary for our local officials to comply with regulations. 2. Having workshops to keep filing officers up-to-date on changes in forms and the law. Technical support services (5) (4)
- I really like the new “generic” SEI Form 700. I always wondered why there were two forms! My contacts with FPPC have been positive. The people I have talked with have been very knowledgeable and supportive of city clerks. The FPPC bulletin is very informative. I read it cover-to-cover, and I provide copies to all my Council members as well as the city attorney. (7) (1) (5)
- I recently began working as a deputy City Clerk and representatives have been patient, courteous and informative. (1)
- News on Demand. Consultants returning calls the same day. Bulletin. Enforcement. (5) (2)
- You are available to make presentations at city clerk’s conference. You appear to review the forms and make revisions.
- 1. Advice. 2. Simplification of forms. 3. Increased fine (3) (7)
- Always answer questions and are very friendly and courteous. (2) (1)
- Staff is much friendlier than a few years ago. Staff is also much more knowledgeable. Forms are much more “user” friendly”, eliminating confusion. (1) (7)
- Phone advice. Advice requests. (1) (3)
- Responding to telephonic inquiries. (2)
- Availability of telephone advice. Summary sheet on gifts and honoraria. Bulletin. (1) (5)
- 1. Quick, accurate responses to questions. (2)
- Very responsive to questions on the phone except during peak periods. Workshops are very good. (2) (4)
- I like the notifications. They are timely and trigger me to action. Trainers who show us how to be FPPC filers allowing and supporting City clerks assoc.. (5)
- 1. Providing knowledgeable, correct and quick answers; 2. Being very courteous and explaining information until it is understood; 3. Providing instruction for groups. (1) (3)

- 1. Being responsive and courteous. 2. Narrowing issues. 3. Being patient and listening. (1) (2)
- Every one I have ever encountered KNEW their stuff. They have always been extremely professional, friendly, helpful and responsive. Phone calls are always returned within a one day time frame and the answers have been simply and easy to understand, in most cases the Code/regulation section/ advice letter, etc. have been readily available. (1) (2) (3)
- I understand you have over 450 city clerk, almost 60 county clerks and hundreds of special districts, school districts etc – Considering the # I feel responses are timely, always courteous, and professional. (1) (2)
- 1. Quick responses – return calls in timely manner. 2. Tech-assistants very helpful and not intimidating. 3. Helpful seminars/training sessions. (2) (1) (4)
- New Fax-on demand service. (5)
- Quick response time. Always very helpful. (1) (2)
- Your meetings with city clerks, candidates etc. assists in the proper completion and understanding of forms. You have implemented streamlining forms ideas after suggestions from these meeting and conversations with those who have to use the forms. (4)
- Excellent and thoughtful service by your staff. Timely advice. (1) (2)
- Enforcement division attorneys are courteous and professional. Promptness in answering phone calls. (1) (2)
- 1. Return calls. 2. Friendly, courteous responses. 3. Provide answers. (1) (2)
- Good response time. Very knowledgeable personnel. Helpful but not officious personnel. (1) (2)
- Your advisors are cooperative, patient, very well informed and responsive. Your investigators understand our time constraints when they requests documents and are never unreasonable. I value that! (1)
- 1. Getting out material/forms in a timely manner. 2. Sponsoring informative workshops. 3. Providing well informed and courteous technical advisors. (6) (4) (1)
- Telephone advice.
- 1. Technical assistance line is very helpful. 2. Prompt response from enforcement division is good. 3. Assistance to prosecutors and legal issues on questions has been great. (2)
- 1. Courteous – always return telephone calls. 2. Provide training to help implement new laws. (1) (2) (4)
- Very knowledgeable. Very courteous. Very sympathetic. (1)
- 1. Keeping us updated in changes in the law. 2. Answering questions in a timely manner. 3. Always helpful when we call. (5) (2) (1)
- Provide us with the documents we need in a timely manner; answer any questions in a courteous and cooperative manner; provide workshops. (6) (1) (4)

- Phone calls are promptly returned or within a reasonable time. Always available to take questions from officer or candidates. Materials and information provided is always helpful, samples and notices provided when officer needs to mail notices. (2) (5)
- 1. Good seminars. 2. Forms are delivered on time. 3. Sample letters are very handy. (4) (6)
- 1. FPPC staff answer our questions in an accurate, courteous and timely manner. 2. We appreciate the preparation of local filing schedules done by the FPPC office. 3. Our candidates have never complained about the treatment they received from the FPPC office. (3) (1) (2)
- We have hosted seminars in our city, which are always very well done and informative. Forms read well in advance. (6) (4)
- Courtesy, promptness, willingness to help. (1) (2)
- 1. You are now scheduling workshops within our area- not only in Sacramento such as the Fresno are.(4)
- Timely response to telephone requests. Local seminars for filing officers. League conferences. (2) (4)
- 1. Opinion letters 2. Curative legislation.
- 1. Keeping me informed by holding local workshops on procedures 2. Sending out the FPPC bulletin. 3. Answering my “dumb” questions - and sometimes more than once. (5)
- Very responsive to agency inquiries. (2)
- You always answer our questions in a friendly, informative way. When we order forms, we receive them very rapidly. You return our calls promptly. (1) (6) (2)
- Returning calls promptly. Polite on phone. Helping answer questions. (1) (2)
- 1. Prompt telephone advice. 2. Copies of materials (advice letters, meeting notices.) (2) (5)
- telephone advice. Quick return on letters and opinions. Newsletter warns of upcoming changes in statutes and regulations. (2) (5)
- Knowledge. Just being there to answer questions – great response. (2)
- Very good with timely responses to requests for formal and informal conflict opinions. (2)
- Returning my telephone calls promptly. Answering my questions in a manner that is very comprehensible. Providing me with information in a timely manner. (2) (5)
- Quick courteous advice. (2) (1)
- I’m concerned only with getting meeting notices and schedules on time, which is happening. (5)
- Timely response. Courteous service. Extra mile attitude. (2) (1)
- 1. Immediate reply by phone. 2. Immediate reply by letter. 3. Cordial relations. (2)
- Prompt responses. Knowledgeable staff. (2) (1)
- 1. Responding to telephone inquiries promptly. 2. Sending out written materials promptly upon request. 3. Well thought out responses to requests for advice. (2) (5)

- Everything is right.
- I have little occasion to seek direct advice from FPPC. However, when I have had to do so, FPPC staff has always returned my calls or responded to my needs in a timely and courteous fashion. No complaints. (2)
- Always return calls that day or the next morning – I really appreciate that. Polite responses, even if you think the questions are dumb. I feel like I can ask anything – I’m sure you’ve heard it all. (2)
- 1. Answer telephone inquiries with promptness in a well thought out manner. 2. Responsive to City’s requests for a needed rule amendments. 3. Provide knowledgeable reps asst city conferences. (2)
- 1. Always courteous and friendly. 2. Returns calls as promptly as possible. 3. Tries to get answers to problems or be of help in some way. (1) (2)
- 1. Telephone advice is timely and decisive. 2. Bulletin/summation of advice letters are very helpful. 3. Appreciated League seminar with FPPC in 1993. (2) (5)
- quick response. (2)
- 1. Information you provide is accurate and up to date. 2. Telephone messages left are always returned, promptly and courteously. 3. No question is too big or too small. (5) (2) (1)
- 1. Prompt and understandable response to requests for assistance. 2. Forms a little simpler (700).(2) (7)
- Timely answers to questions. Help with Conflict of Interest Statements. Friendly and courteous. (2) (1)
- Timely in your reports. (5)
- 1. Return calls promptly. 2. Answer my questions in a manner I can understand. 3. Keep me up to date with changes. (2)
- Quick, accurate information in response to questions. Courteous, helpful staff. (1) (2) (3)
- Also providing good training. (4)
- 1. Quick response to inquiries. 2. Provide FPPC Forms in timely manner. 3. Provide training. (2) (6) (4)
- Staff is very prompt and knowledgeable. (1)
- 1. Quick response. 2. Courteous staff. 3. Simplification of forms. (2) (1) (6)
- Making documents available. Promptly returning phone calls. Open meetings. (6) (2)
- 1. FPPC Newsletter is beneficial. 2. Notification of complaints that have been filed relative to agencies or individuals within Placer County. 3. Investigation and notification of such complaints mentioned above at 2. (5)
- Calls are returned in a timely manner. Analysts are courteous and patient. (2) (1)
- 1. Holding training classes 2. Keeping us informed of changes. 3. Answering questions for filers. (4) (2)

- The seminar regarding the new Statement of Economic Interest, Form 700, was well done and timely. (4)
- 1. Answer questions in a timely manner. 2. Assist with coordinating filing period information for elections. 3. Keeping us informed of changes in laws. (2)
- 1. Responsive and well-trained staff. 2. Clear and updated regulations. 3. Public availability or rulings and opinions. (2) (1) (5)
- Answer calls right away. Do not “over” transfer. Call back within 24 hours. (1)
- 1. Staff is responsive, courteous. 2. Staff is knowledgeable. 3. Staff has gone above and beyond what was required to provide full assistance. (1) (2)
- Provides technical assistance to City Clerks Office in a professional manner. Returns phone calls on a timely basis. Provides clear written instructions to both City Clerks Office and candidates/office holders. (2)
- 1. Delivery time is excellent. 2. Material and explanations are excellent. 3. Availability via the phone is excellent. (6) (2)
- New forms are much better. Responses to questions on phone prompt and courteous. (6) (2)
- 1. Provide forms timely and as needed. 2. Keep us updated through newsletters. 3. Do follow-up enforcement of offenders, “thereby letting me off the hook to do it!” (6) (5)
- 1. Quick responses to inquiries. 2. Timely information about form/law changes 3. Great seminars to assist in filling out forms. (5) (4) (2)
- Courteous on phone. Quick response to requests. (1) (2)
- Very responsive to informal questions over the phone. Also, knowing that there will be a response in three weeks on written requests for opinions if immensely helpful. (2)
- Letting us know in advance of changes and requesting input. Excellent in responding to questions. Making staff available for workshops to keep everyone updated. (2)
- Forms received early. Office staff very helpful. Work shops well run and concise. Phone call answering phone advice.(6) (1) (2)
- Quick response time. Accommodated cities in our area by adding an additional SEI seminar for the Form 700, so that more could attend. (2) (7)
- Prompt return of phone calls. People who answer the phone know who to refer callers to. Workshops provide filing officers with necessary training. (2) (4)
- 1. New forms format. 2. Current manuals. 3. In most cases, cordial answers. (7) (5) (1)
- 1. Timely response. 2. Courtesy in answering questions. 3. clear and concise answers to questions. (2) (1) (3)
- Sending needed forms. Keeping us informed. Answering questions. (6) (2) (5)
- Very knowledgeable! And courteous. (1)

- Working to let people know you are user friendly. Investigating complaints with thorough follow-up. (1)
- 1. Good communications. 2. Responsive to calls for assistance; 3. Friendly cooperative staff that is sensitive to District Attorney's political circumstances. (1) (2)
- 1. Answer questions usually the same day. 2. Very friendly. (1) (2)
- Workshops, customer service. Notification of amendments due. (4) (1)
- 1. Information requested (forms etc.) are received promptly after requested. 2. Calls are returned promptly. 3. Seminars are well planned and delivered in a manner that answers most questions. (2) (4)
- Return calls same day. Understandable answers. Courteous. (1) (2) (3)
- The FPPC is very attentive to the needs of local prosecutors. Dir. of Enforcement Daryl East and his staff have provided invaluable assistance in the prevention of Political Reform Act violations.
- I am usually able to talk to someone directly; if not, my calls are returned within a very short period of time. The explanations have been very complete and clear direction has been provided. (2)
- Providing workshops. Speaking at league mtgs. (4)
- 1. Home page containing Prop. 208 advice letters - excellent resource, I use it daily. 2. Fax on demand. 3. Private advice letters and opinions on Westlaw. (5)
- 1. Prompt response to inquiries. 2. Clear direction and recommendation for action. 3. Training. (2) (4)
- Return calls in timely manner. Provide effective advice. Provide forms as needed. (2) (3) (6)
- Quick response to questions. Knowledgeable staff. Keeping us well informed as to changes in laws. (2) (1)
- Always responsive. Timely. Appreciate the 21 day turn around on opinions. (2)
- 1. Responsiveness 2. Accurate information. 3. Friendliness and helpful. (2) (1)
- Answering calls/questions promptly, sending out written materials. Requesting input on regs. (2)
- Survive in a prompt, efficient manner. (2)
- Providing technical and legal advice to assist gov't officials.
- 1. Timely info on regulation changes 2. Efficient assistance in securing conflict of Interest forms. 3. Readily available to answer questions. (2)
- Workshops are helpful. (4)
- Your consultants are readily available by phone to answer questions. You promptly reply to requests for booklets and offer documents. (2)
- Responsiveness re: annual seminar for agency officials. (2)
- Information on advice (summaries and copies). Notice of regulations. Timely response to specific advice request. (5) (2)

- Prompt responses. Knowledge of law. Good communicators. Response to inquiries. Presentations at City Clerk Conferences and Workshops. More aggressive investigations and charges. (2) (1)

FPPC External Survey Questions: Question 5a

Do you know of any “future trends” that may affect the Commission’s work?

TYPES OF RESPONSES

- (8) *New reform laws and increased complexity of issues increase confusion, workload and phone calls and questions for the FPPC (11 counts)*
- (9) *Proposition 208. (26 counts)*
- (10) *Increased workload. (4 counts)*
- (11) *Electronic filing via the web. (20 counts)*
- (12) *Budget cut-backs, which reduce staff and resources, creates more work. (3 counts)*
- (13) *No, none, unknown, none at this time... (88 counts)*

RESPONDED: 194

NON-RESPONSE: 133

**(S) signifies that the response was summarized for conciseness.*

**A single response can contain more than one type of answer and suggestion.*

- There may be more public attention to Conflict of Interest Rules.
- No (6)
- No (6)
- Other than 208, which may increase all of our workloads, I’m not aware of anything. (2) (3)
- Our workload is expanded and our core work such as FPPC related – needs to be easy for us to process. (3)
- Reduction of regulations – too expensive and complicated.
- The chilling effect of resident lawsuits will cause us to seek your advice more frequently. (1)
- No (6)
- No (6)
- No guess (6)
- No (6)

- Prop. 208 (2)
- Yes, I believe there will be an increase in campaign activities by outside, unregistered groups. Lower voter turnouts.
- None (6)
- Increasing use of technical violations to attack political opponents rather than focus on true issues of conflict – free decision making and open good government.
- I believe the commission is going to have to be diligent in keeping its work as simple as possible so the many volunteers to government on its boards and commissions are not overly burdened with paperwork, and at the same time, having the information needed to enforce the Fair Political Practices Act.
- Prop 208 – local elections. (2)
- Use of computer, desire to place filings on Internet or ability to electronically file forms. Passage of 208 and 218 will probably impact FPPC staff. Questions, interpretation of propositions. (4) (2)
- None (6)
- What is the FPPC going to do when a company sets up 120 different pacs, one in each legislative dist. To circumvent the \$25,000 a cycle limit on pacs?
- More friction over conflicts issues as economic integration continues; more people (including office-holders) will have more diverse economic interests.
- Electronic filing, “fax” filing. (4)
- No (6)
- No (6)
- Inter-relationship of local campaign finance legislation. Growing number of conflicts questions as more spouses work, persons invest in broader spectrum of vehicles. Inequity of treatment of private educational institutions from public probably needs legislation. (1)
- No (6)
- Non-qualified persons running for office and more and more non-compliance for individuals that do run.
- Cities continue to down size and privatize functions. The use of temporary staff is becoming common practices. (5)
- No comment at this time. (6)
- Campaigns are getting more expensive. Even small town elections can cost \$1,500 - \$3,000 for signs, handouts, a mass mailing, as costs go up the number of 490’s will increase, which is more expense for FPPC and cities. Suggest an effort be made to get state legislature to increase spending minimum to \$2,000 or \$3,000.
- Other than that the whole world appears to be going down the tubes, no. (6)

- The FPPC has and continues to expand its activities and the complexity of its regulations. I believe that commission should begin to deregulate and get out of many of the business its in. Legislation to that end, if required, would receive strong support.
- No (6)
- Increased participation by voters in legislative process.
- Streamline forms.!!
- Over the past couple of years, we have added many positions to the list of “designated officials.” I know some people call you direct for questions, which can add to your workload. Our list of consultants may also be increasing to add to this. (1)
- Prop 208 (2)
- If more and more initiatives and propositions are approved we are facing many new challenges with more and more regulations - the rules become disjointed and complicated. (1)
- No (6)
- Unknown (6)
- 1. Problems due to new campaign finance issues. 2. Issue of potential criminal violations for city atty advice. (1)
- no (6)
- no (6)
- I anticipate there will continue to be campaign finance reform laws which affect the state as well as local ordinances (this City enacted one just prior to Prop 208). (2)
- No (6)
- No (6)
- No (6)
- We see a financial crisis based on the effects of prop 218. To the extent that causes layoffs, former employee contracting, lower availability of legal advice from the city attorney’s offices, there may be more opinions referred to your office. (1)
- We need more monitoring of state campaigns – particularity individual expend. Committees.
- Collecting FPPC paperwork can be compared to dealing with children at home. It appears to met that today’s candidate appears to be establishing his own deadlines, even though he is warned about penalties. I do not know if this syndrome has a name.
- Uncertain development of process.
- The newly passed state propositions have caused confusion among candidates and filing officers alike. (1)
- Too many initiatives with mandates to FPPC.

- Having the filing forms on disc. We've had a requests in the past for the forms on disc..(4)
- Campaign reform.
- Definition of an electronic signature and legislation put forth by Sandy Bowen. (4)
- Prop 208 and any campaign reform laws. (2)
- Privatization of work traditionally performed "in house" will mean greater scrutiny of public entity transactions.
- I believe that Proposition 208 will affect all of us, and will cause many questions by filing officers/officials and reporters. (2)
- No (6)
- No (6)
- Generally speaking doing more with less means we aren't as though as we should be and state acknowledgement and support helps. (3)
- Electronic filing and public access. Guidelines for criminal prosecution under 208. (2)
- No (6)
- no (6)
- unknown (6)
- Electronic filings (4)
- Who knows how much more creative the initiative writers and voters of our state may be!
- It appears to me that the investments and financial arrangements of filers are becoming increasingly complicated. It would be helpful for the FPPC to provide on how to integrate investments. (1)
- Not at this time. (6)
- The commission will provide less local workshops because of budgetary constraints. (S) (5)
- All electronic filings. (4)
- Prop 208 will prompt many more questions. Probably business income related conflicts due to general upturn in the economy. (2)
- The general assumption that anyone who wants to serve in an elected position or appointed position is a crook is really discouraging persons who wish to give back in their communities. We hear frequently that the reporting requirements, including that amount of detail, are discouraging to potential applicants and make them feel like they are "guilty of success".
- No (6)
- No (6)
- No (6)

- No (6)
- Mania for disclosure will probably result in legislation for more article 2 filers. (3)
- Campaign limits may need to be re-visited. The limits currently seem to be causing a lot of money laundering. Make the limits reasonable.”
- Prop 208 and other legislation. (2)
- Electronic filing is a critical issue and my experience has been that certain companies are completely inadequate. (4)
- Electronic information age/ internet filing/ privacy issues. (4)
- Commission needs to be ready and willing to accept new workload as the result of new reforms. (1)
- Stringent regulations too strictly enforced
- None (6)
- None known (6)
- Use of internet to transfer information, greater public sensitivity to conflicts created by campaign donations. (4)
- Not at this time. (6)
- More emphasis on computer access/filing/searching. Prop 208 appears that it may shift political funding to independent committees and this may require more thorough monitoring and enforcement. (2)
- No (6)
- No (6)
- No (6)
- Election reform
- None (6)
- No (6)
- If forms are now online possibly the FPPC could allow people to file directly with the FPPC similar to what the IRS is now doing. (4)
- Electronic filings. (4)
- There may be a need to audit candidate’s records to make certain they are complying with current laws. Simplify government and the paper work involved. Don’t be so afraid that the process out requires the purpose.
- Reporting forms available on the network, more complicated laws, and more sophisticated consultants. (1)
- Internet, database linking with other state agencies. (4)

- More computer access to FPPC advice letters will probably force commission advice-giving and enforcement staff to be on top of prior advice even better, or get criticized and/or lose cases if not. (4)
- There may be more public attention to Conflict of Interest Rules.
- None (6)
- Will the 700's be available on the Internet? (4)
- No (6)
- No (6)
- I think Prop 208 will have long-reaching effects for all of us. I can see where it will be especially challenging for FPPC, since you will have to tell the rest of us what to do! (2)
- No (6)
- No (6)
- No, none that I know of. (6)
- No (6)
- Voter initiatives regarding campaign expenditures and conflict of interests will make everyone's jobs more complicated. (1)
- Campaign financing in general seems to be getting more complicated. (1)
- No (6)
- Possible further issues involving campaign reform, most likely through the initiative process.
- None (6)
- 1. Probably the initiative process. 2. Development of new forms.
- The effects of Prop. 208 are unknown to one yet! Electronic filings. (2) (4)
- Cut backs in staff means less time for us to research questions. Thus, you get more phone calls with our inquiries. (5)
- Prop 208, current scrutiny of candidates as to conflicts, campaign contributions etc. (2)
- The passage of Proposition like 208 and 218 are a rising trend that will impact us all. Municipalities are losing funding sources faster than the rising flood waters. Revenues sources are rapidly being outlawed, depleted and eliminated. Citizens are expressing concerns over Taxes and Campaign funding, it appears more and more restrictions will put in place by the voters. (2)
- None of aware of. (6)
- Proposition 208 and greater interest in local campaign reform efforts. (2)
- None (6)

- Most city attorneys are advising clerks to not assist (means different things in different cities) people in their completion of the forms and to refer all questions to you as you create the forms... Seems it would be easier if once cities send lists of filers - you sent and monitored the forms.
- No (6)
- Computers – may create problems for some campaign committees. (4)
- Prop 208 – unknown areas. (2)
- I think your investigation and enforcement divisions will see an increase in there job loads. The lack of public trust appears justified.
- The health care revolution is making the application of the PRA to health care/hospital districts very complex.
- The implementation and court rulings regarding: Prop 208 (2)
- Not at present. (6)
- If everything is heading toward computerization will there be need for hard copy eventually?? (4)
- No (6)
- No (6)
- Proposition 208 has already raised many questions from officeholders and interested candidates, the commission needs to provide clear directions to filing officer as to where or whom questions should be directed to at the FPPC. Confusion may arise over SOS receiving certain filings, and who to direct questions to.(2)
- To what extent the secretary of state is assuming your responsibilities?
- No (6)
- All forms available on the net would be helpful. (4)
- None (6)
- None (6)
- Proposition 208 (2)
- Not I. (6)
- Maybe getting responses on-line? (4)
- Not at this time. (6)
- No (6)
- No (6)
- No (6)

- I wish the electorate would keep hands off the FPPC.
- Term limits and recant always regarding campaign funding.
- No (6)
- None (6)
- Status of Prop 208??? (2)
- No (6)
- More use of the computer. More direct filings? Less exchange of paper. Less use of Post office and mailing. (4)
- No (6)
- No (6)
- No (6)
- No (6)
- No, sorry, not very well versed in his area. (6)
- No (6)
- Works well with clerks in answering questions in regarding to reports explains laws.
- If prop. 208 is upheld, the commission will have criminal authority. (2)
- No, not at this time. (6)
- No (6)
- No (6)
- No (6)
- The initiative process!!!!
- No (6)
- None (6)
- No (6)
- No (6)
- I think we could be asked to advise the federal campaign reform efforts – we need to be ready to respond.
- No (6)
- No (6)

- Obviously – campaign restrictions. Enforcement duties expanded.
- No (6)
- The San Bernardino County District Attorney is much more likely to seek criminal charges. The Audit/administrative investigations by FPPC allow us to make a case where we lack probable cause for warrants. I see a greater need in that area to supplement our investigation.
- No (6)
- The uncertainty in campaign finance law and how the entire Prop 208/212 issues are ultimately resolved pose the greatest challenge forth FPPC. While I do not know if this qualifies as a “future trend,” it remains a problematic area of the law for all of us. (2)
- No (6)
- 1. Changes in fundraising limits.
- No (6)
- An increase of conflict issues.
- None, at this time. (6)
- No (6)
- Prop 208 implementation issues.(2)
- Prop 208 (2)
- No (6)
- Many observers believe political money will be channeled into independent expenditures to avoid limits under prop 208. This could shift the bulk of reports into this area. (2)
- We would like to co-host one or two large seminars for filers.
- Electronic filers. (4)
- I believe that the overly complicated nature of the law in this area needs to be eliminated. Many times I see honest mistakes that were treated no differently than criminal conduct. Technical violations become political issues and because of the complexity, it is difficult to engage on an act that would at the least support an investigation. (?) (1)
- No, but with the public’s propensity for placing items on the Statewide ballot that nearly always seem to affect the FPPC and, a legislature that does not seem to have the ability to pass effective legislation that could prevent unreasonable propositions, who knows? (6)

FPPC External Survey Questions: Question 5b

What changes in your work might affect the FPPC? (Nature of the work, workload, new services, etc.)

TYPES OF RESPONSES

- (14) *Increased workload which leads to decreased productivity. (20 counts)*
- (15) *Staff and resource reduction, possibly due to budget restraints. (19 counts)*
- (16) *The need for electronic filing with the use of the Internet. (11 counts)*
- (17) *The creation of new or revised forms (ie. 700's). (8 counts)*
- (18) *The effects of Proposition 208. (19 counts)*
- (19) *The effects of Proposition 218 . (2 counts)*
- (20) *No, none, unknown, none that I am aware of... (55 counts)*

RESPONDED: 159

NON-RESPONSE: 168

**(S) signifies that the response was summarized for conciseness.*

**A single response can contain more than one type of answer and suggestion.*

- Any new development application could trigger a potential conflict of interest inquiry; new forms for reporting economic interests have already generated more questions. (4)
- None (7)
- None that I am aware of. (7)
- Numerous special elections as a result of Prop 218 have the potential to increase may workload and the FPPC's (6)
- Just know that we are like everyone else. More and more to do- my efforts to streamline the processes or simplify what is needed is appreciated.
- Our work load is expanded and our core work such as FPPC related - needs to be easy for us to process. I like the questions you have chosen for this survey. I really liked the cover letter - good communication. (1)
- Televising more city council meetings creates more exposure to challenges under the PRA.
- I will become records manager when our new City Hall is built so I will need your services more.
- None (7)

- Lower voter turnouts. More initiatives.
- There is discussion in this city of going to “preferential voting” in the near future.
- None (7)
- Increasing reluctance of non FPPC staff to give any conflicts advice since it is such a thankless task and then all you want to do is beat up on the advice – giver.
- I think you should not forget that many, many volunteers man the multitude of boards and commissions required by government. With two people from each family in the work force, these appointments are increasingly hard to fill. Excessive, burdensome paperwork does not assist the process.
- None (7)
- None (7)
- We probably will have increasing need for advice. (1)
- None on the horizon. (7)
- Yes
- Expect more local attempts to regulate campaigns, especially financial.
- Prop 208 and Form 700 (5) (4)
- Prop 208 and the new Form 700 (4) (5)
- Due to loss of revenues from a Utility Tax and a reduction of staff due to this loss of revenues, FPPC filing are not always done in a timely fashion, and as the voters continue to want changes in the conflict of Interest Code and Campaign reform laws and these changes are being pushed onto the City Clerks you will find more and more non compliance.
- Less staff, more responsibilities – less time.(1) (2)
- No comment at this time. (7)
- Many small cities have a small workforce. They cannot afford assistants on Dep. City Clerks. Consequently Less time to review and assist candidates which will ultimately mean more work for the FPPC. Simplifying forms (as you have begun to do) will help both the FPPC and the City Clerks also see #5 above which will help because fewer 490 mean more 470 – equals less work and less paper. (4)
- How will enforcement of Prop 208 affect local filing agencies? (5)
- Nothing (7)
- None (7)
- Increased workload with reduced staffing causes late nature of filings, and some late filings with state. (1) (2)
- I believe the changes we made a few years ago, dropping 5 positions because of state cutbacks, probably already has. One of these positions was a separate city clerk. When one person is wearing a

lot of different hats, it is “difficult to be too knowledgeable in all the of the FPPC. Rules and regulates, especially when they’re changing. This definitely results in more phone calls for you. (2)

- With each new regulation there is more and more work without clean up legislation the rules are different for every type of candidate on every day of the week – It’s becoming too complicated and complex to administer effectively. Pretty soon we are going to need a degrees in FPPC and study and work on FPPC full time. (1)
- Much harder to keep track of which forms need to be sent to FPPC now that they are all the same. Much easier with 2 different forms!!! (4)
- Unknown (7)
- More stringent Campaign filing requirements.
- Unknown. (7)
- As a filing officer, I found that it is rare that any filing is “perfect.” This increases the review and the workload considerably. Most errors can be attributed to the difficulty which candidates and treasurers have in understanding the forms. People do not read the small block even if we point it out to them. Changing the filing periods to the election period would resolve that problem. (S) (4)
- None (7)
- As in FPPC’s situation, the reduction of staff and additional duties, greatly affect the time I can spend notifying/supplying candidates and collecting, reviewing and filing forms. The recently-elected City Clerk is taking charge of this responsibility. (2)
- Avoid changes which might be subject to FPPC.
- As new services/workload is added, I refer more filers direct to the FPPC tech. Support line. (1)
- Redesign FPPC forms as templates to facilitate scanning with database progs. (4)
- Prop 208 liability for bad advice will require more referrals to FPPC. (5)
- Proposition 208 (5)
- Reduction in staffing support may make it difficult to meet FPPC requirements. (2)
- An increase in the number of Form 700 filers, fewer staff in my department, more demands for information on the Internet. (2) (3)
- None, other than adding additional staff to conflict of interest code.
- Voter initiatives. I.e. Prop 208 more conflicts of interest. (5)
- Need forms, filings and info available electronically. (3)
- The creation of 501. C4’s. (4)
- Don’t know of any. (7)
- Workload has increased as our population has increased. (1)
- More awareness of political reform act, more SEI filers.

- Unknown at present time.(7)
- Workload doubled due to position not being filled. (1) (2)
- I am not proficient with the internet and I am afraid you will forget to keep information flowing through the mail and workshops. (3)
- Form S will soon all be requested electronically. (3)
- Probably prompt new questions re. Prop 208. Do not expect our staffing level or workload to change. (5)
- None (7)
- None at this time. (7)
- None anticipated. (7)
- None (7)
- None (7)
- More computers many increase electronic filing (3)
- With records management moving toward implementation of electronic document imaging technology we need new retention laws to eliminate paper. (3)
- Like to see suggested forms to use for compliance with Prop. 208 (5)
- Local ordinance and how they effect state law ass been a problem – maybe this will not be a problem post prop. 208. New 208 rules will pose huge problems; aggregation, etc. It would be useful to have many local seminars on Prop 208 (5)
- Heightened awareness (at my organization and generally) of ethics requirements - leading to more and more questions. Increasing use of consultants leads to new issues.
- My work is not scheduled to be changed.
- Can't think of any. (7)
- None known (7)
- Improvements to our record keeping technology and capacity to interest electronically to avoid paper building. (3)
- None, at this time. (7)
- My city is considering stiffer restrictions than FPPC but there will still be much overlap. This may trigger more requests for information from both clerk and candidates, and many calls may not fall under FPPC jurisdiction.
- Making forms as easy to fill out as possible. No gray areas!
- None (7)
- None (7)

- Reduction of staff at the city level. Reduces available expertise on site, leading to additional requests for information from the FPPC. (2)
- None (7)
- Due to budget and time constraints, it becomes increasingly difficult to index and track reporting requirements. (2)
- County and city government have continued to take cuts in their tax base and therefore has had to find more cost saving ways of doing business. If the FPPC took over maintaining their own records then County and City employees could dedicate their time to completing County and City work. (2)
- None (7)
- No comment. (7)
- Any new development application could trigger a potential conflict of interest inquiry; new forms for reporting economic interest have already generated more questions. (3)
- Nothing at the moment. (7)
- AS a city clerk I don't anticipate any changes that would affect the FPPC. (7)
- As with most government agencies, we are doing more with less. Staffing is being cut and workloads are increasing. Jobs are being combined, and in general we are all in over our heads. I can see the major effect this might have on FPC is more direct calls from candidates and citizens. We now try to provide as much information as we can to our candidates and filers, but it takes time to research the questions and provide the information. I can see where you may be getting more direct calls, because we will no longer be able to spend the time. (2) (1)
- I don't know at this time. (7)
- Blending our local campaign reform law with Proposition 208 and dealing with the extra work. (5) (1)
- The workload in all city departments continue to increase. (1)
- Not aware of any at the present. (7)
- None that I am aware of. (7)
- There will be heavier workloads everywhere, with fewer staff members trying to do more complex filings, possibly meaning that more calls/questions will come your way. (1) (2)
- None that I can think of. (7)
- Given the Political Reform Act, the workload of city attorneys and FPPC will probably increase. (S) (1)
- None known at this time. (7)
- As cities have downsized and multiple jobs have been assigned to individual staff members it has become increasingly difficult to be efficient in scheduling the workload. For example, I am a one person city clerk's office, one-person Personnel office and assistant to the city manager. This is not uncommon in small cities in recent years. (2)

- Maintaining paper files should be shortened if scanned and logged! Also. Shorter retention of losing candidates' filings.
- 1. Staff decrease: heavier workload. 2 Update and revision of our system. (1) (2)
- More public officials are cognizant of conflict issues and seem to ask more questions regarding FPPC issues 1090 issues, etc.
- Cities have faced extreme budget cuts. My staff has been cut to one-full time employee and one-part time. My workload has doubled. This is not unusual for a city clerk's department and I am sure it not unusual for the FPPC. (S) (2)
- In the past you held workshops in Palm Springs – I would like to see that again.
- Additional filings for office holders – (office holder accounts post 208) Accounting challenges prior to elections by candidates. (5)
- None (7)
- Same as with your organization, due to budget cuts – cities do not have the staff to handle the workload and sometimes forms are not distributed on time or follow ups get behind schedule... (2)
- Unsure.
- Once again, 208. Not sure of its' impact. (5)
- I feel that some confusion is caused by some agencies issuing 700's. For example, three of my council members get a 700 from the same district or a transit authority, there they get a 700 from me. Of course I prepare an expanded statement, but nonetheless, having these various agencies, is confusing and creates needless paperwork.
- Our recent change from council/mg. Form of govt. to mayor/council form may generate more contact, as well as the increased number of committees covered under the political reform act.
- None foreseen. (7)
- More and more requests for public records.
- Do not know of present (7)
- None known (7)
- My own workload is very heavy. I have trouble keeping on top of everything, but that is not your problem. (1)
- Budget reductions may affect local agency in providing copies to filers. (2)
- 218 has cut my staff with no reduction in work – therefore, our responding to our candidates and council concern regarding reporting requirements and timely getting forms to them has and will be adversely affected. (2)
- City clerk
- Downsizing has less people doing responsibilities in the office - anything to simplify is appreciated. (2)
- None (7)

- None (7)
- Being connected to the Internet will have many effects on our work and workload. Participating with the posting of FPPC filings will be a new challenge and interesting experience. (3)
- None that I can think of. (7)
- Internet. (3)
- Depends on how many new pieces of legislation is enacted that would impact our workload. (1)
- I advise public official in county government on conflict of interest issues without assistance from FPPC legal staff, which has been terminated, my workload will greatly increase. (1)
- None (7)
- None, presently. (7)
- The need to keep current with Prop 208 developments. (5)
- None (7)
- None (7)
- Workload is getting much heavier. I have less time to devote to filings, late filers recording filing activity, etc. (1)
- None (7)
- No (7)
- None (7)
- Unknown (7)
- None, we're small county (2 persons) we both do a little of everything.
- More reporting requirements and questions regarding proposition 208 could impact FPPC staff. (5)
- Placer county is experiencing a high rate of growth, and as such, it can be expected that more requests for investigation by the FPPC may be forthcoming as a direct result of the increased population. (1)
- None (7)
- None that I know of at this time. (7)
- Your workshops are very effective. However, it is not always easy to go to Sacramento for the workshop could be held in more central locations. (S)
- I'm referring all questions about Prop 208 to the FPPC. As our July nomination period draws closer, there will be more questions. (5)
- None (7)
- None that I am aware of. (7)

- None (7)
- You already know my answer – 208 – we have put FPPC fundraising on hold until we have the affiliates question answered. (5)
- None that we are aware of. (7)
- No (7)
- I'm going to need more resources during elections with so many restrictions and new procedures.
- Need to realize that city clerks with all staff, are doing many additional tasks and have taken on more mgmt. Responsibilities beyond the typical duties of the office work 50 hrs + each week. It is not always possible to read all documents from FPPC. Sometimes City Clerks need to call FPPC to have a few questions answered. (1)
- Workload continues to increase, even before Prop, 208 (1) (5)
- New measures adopted in 1996 and even shrinking budgets and staff. (2)
- None known (7)
- Prop 208! (5)
- We represent public agencies and have been a city attorney for 22 years. I see a growing trend of local officials to serve personal interest by “taking” public office at the expense of their responsibility to the public.
- We have E-mail now, that wasn't available to our city before.
- Internet – paperless statements. (3)
- Prop 208, prop 218, general overall workload increase with no additional staffing. (5) (6)
- Make the law simple.
- None I know of at this point. However, with a new Council that I am not sure understands about gifts and honoraria, I maybe communicating with the FPPC more. (7)